S. Hrg. 100-691

FISCAL YEAR 1989 BUDGET

HEARING

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

ON

THE FISCAL YEAR 1989 BUDGET

FEBRUARY 25, 1988
WASHINGTON, DC

U.S. GOVERNMENT PRINTING OFFICE
86-968 WASHINGTON : 1988

For sale by the Superintendent of Documents, Congressional Sales Office
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FISCAL YEAR 1989 BUDGET

THURSDAY, FEBRUARY 25, 1988

U.S. SENATE,
SELECT COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:30 a.m., in room 485, Russell Senate Office Building, Hon. Daniel K. Inouye (chairman of the committee) presiding.

Present: Senator Inouye.

STATEMENT OF HON. DANIEL K. INOUYE, U.S. SENATOR FROM HAWAII, CHAIRMAN, SELECT COMMITTEE ON INDIAN AFFAIRS

The CHAIRMAN. Pursuant to authority granted by the United States Senate, I am pleased to call this meeting to order. As some of you are aware, the Senate is now actively involved in a debate on S. 2, the Campaign Financing Reform Act, and rules of the Senate prohibit meetings of committees during debate, unless otherwise ordered. I am pleased to announce that this committee is the only one meeting at this time.

Today the committee meets to consider the President's Budget request for Fiscal Year 1989 for Indian Programs, and to receive testimony from Tribal and Administration witnesses relative to this budget request.

Our review of the budget proposed for Fiscal Year 1989 begins with the recognition and acknowledgement that in exchange for the cession of hundreds of thousands of acres of Indian land, the United States has assumed a trust responsibility for the management of Indian lands and resources and a legal responsibility for certain health, education and other services pursuant to the terms of treaties entered into by the United States with Indian Tribes. The nature of these responsibilities requires more than a maintenance effort on the part of the Federal Government. These responsibilities include the protection and enhancement of trust resources, maximization of returns from the investment of funds held in trust for Indian Tribes, assuring the access of Tribal people to quality educational services and housing, and raising the health status of Indian people to the highest possible level.

These responsibilities, the goals and objectives that specify the standards under which these responsibilities are to be carried out are embodied in laws enacted by the Congress and signed by the President. As such, they form the basis of the legal commitment this Nation has made to its Native People. This commitment is a solemn one. And one that the members of this committee have dedicated their energies to assuring is upheld.

So, today we examine the President's Budget, not in the context of whether it will allow services and trust responsibilities to be maintained at some previous year's level of effort, but in the context of whether the funds requested will enable progress toward the goals and objectives that we have established in law and through this government's relationship with Indian people, and in the context of whether the amounts proposed will adequately address the health, education and housing needs of Indian people, and will assure that the management of Indian lands and resources is consistent with the highest fiduciary standards.

As Chairman of this committee, I want to assure those present here today and those whom you represent in Indian Country, that the members of this committee will not accept a budget that might in any respect fail to fulfill this Nation's trust responsibilities and legal commitments to the Indian people. We are here to assure that these commitments will be honored and upheld.

Our first witnesses, will be the Honorable Dr. Everett Rhoades, Director of the Indian Health Service; Ms. Suzan Shown Harjo, representing the Health Committee of the National Congress of American Indians and the National Indian Health Board, and she will be accompanied by Dr. Emery Johnson, the former Director of the Indian Health Service; and Mr. Bert Steeves, Executive Director of Hunter Health Clinic on behalf of American Indian Health Care Association of St. Paul, Minnesota.

Dr. Rhoades, it is always good to have you with us, sir. I would like to advise all that the prepared statements that you have submitted to the committee will be made part of the record in total, and if you wish to present your prepared statement, you may do so. If you wish to summarize the statement, you may do so. Please proceed.

Dr. RHOADES. Do you wish me to begin, Mr. Chairman?

The CHAIRMAN. Yes, sir.

STATEMENT OF HON. DR. EVERETT RHOADES, DIRECTOR, INDIAN HEALTH SERVICE, ROCKVILLE, MD

Dr. RHOADES. My name is Dr. Everett Rhoades, and I'm the Director of the Indian Health Service. I'm accompanied on my left by Mr. Milburn Roach, the Associate Director for Administration and Management; and on my right by Mr. Bill Pearson, Associate Director of the Office of Environmental Health and Engineering. We are very pleased to be able to be here today and discuss with you the Fiscal Year 1989 budget request for the Indian Health Programs.

In accordance with your statement that our opening statement would be entered, I would just like to make a very few points from that, Mr. Inouye.

It is worth pointing out, I think, once again that since the transfer of the Indian Health programs from the Department of Interior to the Public Health Service in 1955, the health status of Indian people has indeed improved dramatically. The infant mortality rate for Indians has been lowered to below that of the general population and the 1985 age adjusted mortality rate for deaths due to gastrointestinal diseases for American Indians and Alaska Natives residing in reservation states fell below that for U.S. All Races population, another major accomplishment representing, I believe, the soundness of the public health model that the Indian Health Service represents.

The budget request for Fiscal Year 1989 for the Indian Health Service includes $989.7 million in budget authority, a 4.5 percent increase over the 1988 level of services. Of this $987 million is for Indian Health Services, and $2.4 million is for Indian Health Facilities modernization and repair program currently under the Indian Health Facilities appropriation.

We believe that the budget request represents a level of services that will remain commensurate with that in 1988, with increased emphasis on Tribal participation and Tribal self-determination in the assumption of control of the programs, and I believe with attention to health promotion and disease prevention that we are now engaged in a major way, that in fact the improvements in health status that have been made will continue to be made.

As we move into the 1990's we anticipate a growing beneficiary population, a continued increase in demand for services, and increased Medicare and Medicaid collections. A number of current objectives of the Indian Health Service address the initiatives that we feel will help us better meet this need. These objectives include a focus on health promotion and disease prevention, emphasis on quality assurance of care, with particular attention to youth, alcohol abuse, accidents and violence. In fact, further, the Indian Health Service has made considerable progress in meeting the departmental objectives for the Nation for 1990 and some of these have already been met. For example, the establishment of an environment for patient care and employee work free of the harmful effects of cigarette smoke, and the continue appropriate level of immunization of Indian children at 87 percent.

It's important to emphasize further, I believe, that the greatest impact on the overall health status of American Indians and Alaskan Native population will be achieved by promoting healthful life styles, instituting community injury control programs, and continuing the provision of disease prevention services. These advances require a different model of health care delivery than what I might call the "traditional" physician/patient relationship that has characterized American medicine, and success will be achieved not just by the physicians, but by health educators, public health officers and nurses, and community health workers. Equally important, success will depend upon the degree to which each community makes a commitment to changing the life style of its members.

In closing, let me mention a provision of the 1989 request anticipating interest on the part of the committee. Contained in the 1989 request is a proposed $2.5 million to assess and possibly be applied to the costs of relocating the main headquarters of the Indian Health Service to Albuquerque, New Mexico. We will be reviewing the location of management personnel in relationship to service delivery sites and of people to be served. This review will be conducted in cooperation with the Congress and Tribal organizations prior to any final decision on any relocation of headquarters.

Mr. Chairman, I will be pleased to attempt to answer any questions that the committee may have in relationship to this budget request.

[Prepared statement of Dr. Rhoades appears in appendix.]

The CHAIRMAN. Dr. Rhoades, you began your statement by citing an accomplishment of the Service, to wit, the achievements you have made in reducing infant mortality. What is the mortality rate for neonatal?

Dr. RHOADES. The neonatal mortality rate for Indians would be about six per thousand live births. I would need to be sure that that is the correct number, compared to seven or eight for the general population of the United States.

The CHAIRMAN. What is the post-neonatal rare?

Dr. RHOADES. The post-neonatal death rate, which would be measured between 28 days of life and 11 months of life for Indians and Alaskan Natives, is 5.3 for American Indians and Alaskan Natives, compared to for a comparable year about 3.9 for the rest of the population. Admittedly, a higher mortality rate for Indian children in that age group compared with the rest of the population.

The CHAIRMAN. Why?

Dr. RHOADES. I'm sorry?

The CHAIRMAN. Why is it so?

Dr. RHOADES. It is somewhat of an oversimplification to say that the dangers of living in an Indian community that are placed upon an infant after it leaves the protective environment of a hospital are such that, in fact acute contagious diseases, accidents and trauma occur, as we well know, in a rate greater among Indian communities than in the rest of the communities in the United States. I realize that that does not adequately explain what is taking place, but I believe that that is a true statement.

The CHAIRMAN. If you recognize that to be the cause, why is the Service reducing moneys for preventative medicine? Accidents, trauma, diseases, that is what you should be——

Dr. RHOADES. I would respectfully suggest that in fact the funds available for preventative health have increased by almost two percent.

The CHAIRMAN. One point nine, when you yourself will recognize that the cost of health delivery services has gone up by at least 6.2 percent. Isn't that a reduction?

Dr. RHOADES. I'm not sure that we know the degree of cost increase for preventative services. The usual cost increases are calculated more on the direct services that are available. However, I don't mean to imply that indeed the cost of providing sanitation, public health nursing and so forth, is at that level. We believe that by involving the community in these activities in a much more meaningful way than has been done in the past, will not require such an outlay of dollars. One can state, I think, although this may move away a little bit from age group 28 days to 11 months, that in fact what is killing Indian people at the present time, the consequences of obesity, including diabetes, violence and trauma widely recognized to be associated in a major way with alcoholism. The attack on these ravagers of Indian communities in fact requires very little outlay of dollars; fitness, exercise, control of weight, stopping smoking, which costs nothing, are not high cost items.

And therefore, I believe, it's reasonable to approach that problem with the continued emphasis on preventative health that we have, as reflected in the budget.

The CHAIRMAN. I think I should point out that nationally, 2 years ago we spent $1,440 per American for curative medicine, at the same time we spent 50 cents per American for preventative medicine. And the ratio in Indian country is worse than that. It is easy to say, all they have to do is to stop smoking, and stop drinking. Somebody has to bring these matters to the attention of Indians, as we do to any American. And we have made an effort to cut this effort down.

On the matter of the relocation, as of this moment you have not had any consultation with Indian Tribes or leaders, have you?

Dr. RHOADES. That's correct. What we have done is internal staff work in the Indian Health Service examining the kinds of questions that need to be posed, putting together a kind of an outline with which we then can begin to sample the Indian community.

The CHAIRMAN. What will the consultation consist of? Will it be something as we have done in the past, a presentation of a fait accompli, and saying this is what it is, you take it or leave it?

Dr. RHOADES. I have been assured, and it certainly is the Indian Health Services' intention that no decision be made until it is clear what the wishes of the Indian community are. I think that I can state categorically that a decision will not be made until after that consultation. I can't——

The CHAIRMAN. You are already requesting an appropriation of $2.5 million for this purpose, are you not?

Dr. RHOADES. Yes, sir.

The CHAIRMAN. Even before consultation?

Dr. RHOADES. Yes.

The CHAIRMAN. Don't you think our trust relationship should tell you that we should consult Indians at the launching pad, not after the flight has landed?

Dr. RHOADES. Yes, of course. But I would not say that a request for funds in fiscal year 1989 commits us to the expenditure of those funds, and we have I think quite a substantial period of time in the intervening period in which to carry out that consultation.

The CHAIRMAN. I would like to touch upon an item which is not a big one, but it relates to Medicaid and Medicare. Your request proposes to fund nearly $20 million of the increased costs associated with contracts and grants from direct appropriations and $4 million of such costs from Medicaid and Medicare reimbursement. Does this amount, $24 million, represent the total amount of costs associated with contracts and grants, the twenty plus four?

Dr. RHOADES. Yes, sir. That represents the estimate that we made that would prevent us from having a shortfall in contract health care.

The CHAIRMAN. As you know, the law sets forth certain restrictions as to how Medicare and Medicaid funds may be applied. For what allowable purposes does the department propose to use this $4 million?

Dr. RHOADES. There are a number of activities that take place in our facilities that involve consultants in the field of laboratory work, in the field of radiology, that in fact we pay for out of contract health dollars, and sometimes out of hospitals and clinics dollars, which are frequently cited when they are deficient by the Joint Commission on Accreditation of Hospitals. Therefore, we believe that it is not inappropriate to use those funds. That's what those funds are for. And we believe that they in fact can be used in that category in accordance with the requirements of the Indian Health Care Improvement Act.

The CHAIRMAN. Is that your justification for setting aside the $1.1 million of Medicaid and Medicare funds for this accreditation purpose?

Dr. RHOADES. Yes, sir.

The CHAIRMAN. Is that an allowable expense?

Dr. RHOADES. It is my belief that it is, yes, sir.

The CHAIRMAN. Is that what your lawyers tell you?

Dr. RHOADES. I haven't taken this question specifically to our attorneys, but certainly in the years that we've been utilizing the Medicare and Medicaid funds have been in this general sphere. I believe that they would indicate to us that it is appropriate.

The CHAIRMAN. I was under the impression that these funds were supposed to be used for IHS facilities, and not for contract care. Your justification says it's for contract care.

Dr. RHOADES. The language indeed—part of the language, as I understand it, originally directed the use of Medicare and Medicaid collections toward facilities. It is my recollection that there is additional language, however, that permits the use of the funds for services as well as facilities. And in the past we have interpreted the use of those funds in facilities as for providing services in those facilities as well. I realize that a cursory reading of that suggests that the word facility implies that those funds should be used for maintenance and repair of the physical plant. But nevertheless, we have indeed utilized them in other ways all these years.

The CHAIRMAN. It may sound like nit picking, but I want to see that the funds are properly applied, otherwise the Indians will lose the money. Services performed by IHS, not services by contract, isn't that right?

Dr. RHOADES. I'm not sure I got all the question, sir?

The CHAIRMAN. You said that the monies are being used not for facilities, but for services.

Dr. RHOADES. The monies that are utilized for contract care are used for the purchase of consultation and therefore services, rather than being put into repairing roofs and so forth.

The CHAIRMAN. Will you have your legal staff submit a memo justifying this?

Dr. RHOADES. Yes, sir, we'd be glad to.

The CHAIRMAN. Your budget also proposes to apply the $4 million in the Medicaid/Medicare reimbursement to offset program decreases in hospitals and clinics and contract care, and if our reading of the law is correct, the law does not authorize the use of these funds to offset program decreases.

Dr. RHOADES. We would argue that this doesn't represent an offset of the appropriation for the same reason that I had just outlined, that is these funds in fact are used for specific citations that the Joint Council on Accreditation of Hospitals has recognized in our hospitals. So the correction of those deficiencies—the utilization of these funds for that is certainly in accordance with the intention of the Indian Health Care Improvement Act.

The CHAIRMAN. Your budget statement seems to suggest that mental health problems are associated with more than one-third of the demands made on your facilities and services, and yet this demand is not reflected in the allocations proposed in your budget. Why is it so? You acknowledge and recognize the problem, but you ignore it when it comes to money allocation.

Dr. RHOADES. I don't believe I could agree that we ignore it. The question of allocating resources for specific disease processes is one that is always very, very difficult particularly in a medical care system characterized by general medical services. And there is an ever growing demand for very specific expenditures; we see there has been now for several years in the budget of Indian Health Service in relationship to diabetes. I'm attempting to move more in the direction of violence and child abuse and so forth, which overlaps in the area of mental health. The statement that perhaps 30 percent of the visits that are made to our facilities are associated in some way with mental discomfort and disease, is in accordance with that of the general population, perhaps a little lower, I'm not sure. That does not mean that we ignore it, and it certainly does not mean that we need to have an ever growing bureaucracy, if I could use that word in a non-pejorative sense, that deals specifically with mental health. Stated another way, I believe it is generally accepted for medical care in this country, and would be true in our instance, that the bulk of the ministering to those who are suffering because of psychic, psychiatric and mental stress is going to be done by general physicians, not by the creation of a mental institute—and I don't mean to imply that your question implied that either—so that I think that it is reasonable that the general approach of the Indian Health Service to mental health basically being carried out in our hospitals and clinics by general physicians with backup and consultation by individuals more highly skilled is a very appropriate way to attack the problem.

The CHAIRMAN. According to statistics we have received, some from your agency, the statistics would suggest that the suicide rates among Indians exceed that of the general population, suicide rates among children in Indian Country seem to exceed that of the general public. You have just indicated the problems we have with post-natal care, and yet you have terminated the children's program. We have increasing drug and chemical abuse among Indian children. Are we just closing our eyes to that problem?

Dr. RHOADES. No, sir. And I'm glad you asked that question, because in fact that is another very good example, I believe, of how one approaches the problem. We have not wiped out the Indian Children's Program. The question—

The CHAIRMAN. How much did you request?

Dr. RHOADES. We don't have a specific category of request for Indian Children's Program. But the efforts that have been put into promoting the welfare of Indian children have continued to grow with the rest of the program. The question is, does one build a facility somewhere in the United States which simply by virtue of geography is going to be limited to those who can find their way there, or should there be an inculcation of the disciplines necessary to deal with children that have these kinds of disabilities, that is made available through all of our general clinics throughout the Indian Health Service? The latter philosophy of medical care clearly, in my opinion, has been the philosophy that has made the Indian Health Service so very successful, notwithstanding the desire of individuals to have an edifice in place that is a lot more visible and demonstrable, but perhaps is not reaching nearly as many, in this case Indian children, as a process that permeates the Indian Health Service program.

The **CHAIRMAN**. How many M.D.'s and how many R.N.'s do you have serving in Indian Country at this moment?

Dr. **RHOADES**. We have approximately 850 physicians. We have approximately 1,800/1,900 nurses.

The **CHAIRMAN**. Of that number, how many have received special training in pediatrics?

Dr. **RHOADES**. Oh, very few have received extensive special training in pediatrics. I'm not sure I have the data available here for pediatricians, but it's readily available.

The **CHAIRMAN**. It's almost non-existent, isn't it?

Dr. **RHOADES**. No. It's not almost non-existent. I would say it's fairly appropriate. I think that we have control over the makeup of the specialists in the Indian Health Service.

The **CHAIRMAN**. How many do we have in the Southwest of the United States where you have large Indian populations?

Dr. **RHOADES**. I would have to provide that for the committee, Mr. Inouye. I don't have it available.

The **CHAIRMAN**. I have many other questions which I will ask after the other members of the panel have concluded their remarks. I thank you very much for this moment.

Ms. Harjo.

STATEMENT OF SUZAN SHOWN HARJO, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS, WASHINGTON, DC, AND REPRESENTING THE NCAI HEALTH BOARD AND THE NATIONAL INDIAN HEALTH COMMITTEE, DENVER, CO, ACCOMPANIED BY DR. EMERY JOHNSON, FORMER DIRECTOR OF THE INDIAN HEALTH SERVICE, ROCKVILLE, MD

Ms. **HARJO**. Thank you, Mr. Chairman.

The National Indian Health Board in Denver, CO is preparing a detailed statement which, because they got the budget proposal so late, was not available today. As you are probably aware, OMB was making changes even as late as this weekend in the Indian health budget. The National Indian Health Board is preparing a detailed statement for the National Congress of American Indians, for itself and for about 15 other groups, and that will be available to the committee either later this afternoon or tomorrow.

I would like to, at this point, just make a few comments on the overall budget that has been submitted by the Indian Health Service. I would first like to say that this is a step in the right direction. For the first time in seven budgets, the CHR program, for example, has not been zero-funded, so the Congress will not need to reject that category of Indian Health Service budget-cutting that has been imposed in the past by OMB.

There are many things in this budget to commend it. We are very concerned about those things that do not do honor to the Indian Health Service in proposing them. We are, of course, concerned that there's no funding for the Indian Health Scholarship Program, that there's a near wipeout of Indian Health Facilities Construction monies and a 10 percent cut in Urban Indian Programs.

We agree that the mental health budget is not nearly reflective of the need that exists in Indian country. And we believe that the Indian Health Service is not being as inclusive as it should be when it looks at mental health, and is not doing all that it could to incorporate the healing arts of traditional religious elders and practitioners. We would like to see greater improvement in that area. We'd like to call to the attention of the Indian Health Service the situation of David Sohappy, Sr., who is an Indian elder, well known to this committee, a Yakima fisherman, a traditional Indian man, who is in prison for 5 years for the sale of a little over 300 fish. And, the doctors who have examined him say that he is suffering from a condition-a psychological, emotional condition-rarely seen in this century. Many Indian people suffer from conditions rarely seen in this century, for cultural reasons and for cross-cultural reasons, and we believe that the Indian Health Service should take an active position on the inclusion of traditional healing arts and the situation of Indian inmates, especially those who are elders or who have been raised in traditional ways, to make sure that we aren't creating a population of those with mental disease on top of a population with mental discomfort.

We are most concerned about the relocation study. We believe that any attempt to relocate the Indian Health Service outside Washington, DC, defeats the supposed purpose of elevating it within the hierarchy of the Department, in the first place. One reason for elevation, of course, is to provide access within the Washington policy and political structure, and a move would isolate the Indian Health Service from that structure, and make it less effective than it was prior to the elevation.

I would hope that the Congress would simply reject the idea of the study, not appropriate the $2 million, or even $2, for this study, and instead would ask for the decision documents that went into the development of the notion to study a possible relocation of IHS to Albuquerque. We think it's a terrible idea, and we hope its time does not come, and that we ought to have an opportunity to try out elevation and what that means and turn that into some practical benefit for Indian country.

We, of course, are greatly opposed to the lack of funding in the Health Facilities Construction Program. This notion of leaving facilities half built and then having Congress, by necessity, fund them because they must be built, they must be completed, seems to me to be just another OMB game of making it count on the Congressional side of the ledger, knowing full well that Congress will add moneys in recognition of the need.

We would like to call for a moratorium on the Indian eligibility issues, and to have the Indian Health Service not raise this at this time, or any time in the near future, unless it wishes to go in this direction: to serve the citizenry of Indian nations by contacting

Indian tribes, finding out who their political citizenry are and serving them, and then also serving those who are over whatever blood quantum it chooses. Congress must direct the IHS to serve those people who are not citizens of Indian nations if Federal policies have excluded them from being so—termination, relocation, this sort of thing. But, for the time being, we wish that the Indian Health Service would just call a halt to all of that.

I thank the committee for everything that it has done in the past to be sensitive to the needs in Indian country in this important area. We really are talking about life and death, and Dr. Rhoades is a very caring person, and certainly is in tune with the problems that exist in Indian country, and I commend him for doing his utmost to make certain that the needs in Indian country are met. I understand the constraints under which he operates and I think he does a very fine job. We're proud organizationally of him, and I like and admire him personally. I hope that we can work together to stop the relocation study and to stop this insistence, that I realize comes not from Dr. Rhoades, on the Indian eligibility matter.

I'd like to ask Dr. Emery Johnson, who is sort of advisor to the entire Indian world on health matters, to offer his detailed recommendations, which we heartily subscribe to.

The CHAIRMAN. Dr. Johnson.

STATEMENT OF DR. EMERY JOHNSON, FORMER DIRECTOR OF THE INDIAN HEALTH SERVICE, ROCKVILLE, MD

Dr. JOHNSON. Thank you, Mr. Chairman.

I think it's important, first to remember that it was Congress back in 1954 that made the decision that, to use their words, the appalling status of Indian health was unacceptable, and established a commitment, a goal to elevate the health status of Indian people to that of the general population to eliminate this disparity between the health of Indians and that of the general population. The Congress made the commitment. They set the goal. They identified and selected the vehicle as the Indian Health Service, and this has been the road that we've all been following for the last 33 or 34 years.

I was particularly pleased with your initial opening statement, in which you really addressed this. This is what we've all been dealing with, what Ms. Harjo, and what Dr. Rhoades, and all of us have been working for. To hear Dr. Rhoades identify the tremendous improvements that have been made, I think it's only now we're beginning to recognize what really monumental changes have taken place.

As one who practiced medicine out on the reservations in the 1950's, to now realize that the death rate from gastroenteritis is less than the general population, is almost unbelievable. Last Fall I met with the clinical directors of the Indian Health Service, and I asked for a show of hands of how many of the physicians there had to have an infant given IV therapy for diarrhea in the last 3 months. And, there were about two or three hands that were raised. About 15 years ago, 20 years ago, every hand in the room would have been raised. These are just dramatic changes that have taken place. And, as Dr. Rhoades so rightly points out, it is not just doctors and nurses that did that. The change in that particular element of health status, and the infant mortality for example, has been done more by community change, by improved nutrition, improved sanitation facilities, health education, community health representatives. Indeed it has occurred because of all the things that, unfortunately, this administration has tried to reduce and cut out over these last 7 years.

I applaud the changes that we see in this budget. This is, in fact, a watershed. Whether it's a deathbed conversion, or simply a recognition of that in the end righteousness will prevail, I don't know. But, I think we should commend the Administration for making an attempt in this budget to begin to address in a realistic way some of the most critical of the Indian health issues.

Having done that, however, I've got to say, let's look a little closer. Have they really done all the things that they say in the budget justification that they're going to do. The answer, unfortunately, is no. We still have some very serious problems in this budget. And, to me, they sort of fit into two general categories. One is the issue of actual budgetary support, and the other is a series of subtle or not so subtle changes in the way the process is supposed to work. That I see as based on what I think you so rightly were discussing a little bit earlier—this business of let's make our decision first and then consult. And, I will discuss it in those two general frames. It's clear to me that the budget, as proposed, is going to result in a reduction of health services. As you rightly pointed out, inflationary increases allowed in the budget of maybe two percent or four percent in no way is consistent with what we all know is going to be the inflation rate. It's going to be six percent, if we're lucky, in health care, because remember the inflation rate of health services in this country has tended to run twice that of the general inflation. So, if our general inflation is going to run four, four and a half percent this next year, history tells that the health care inflation may be running eight, nine percent. So, clearly, we are building in right off the bat an erosion of the ability to provide services.

There are other things that erode that ability. There's an increase in population. The Indian population is increasing in this country at one of the highest rates of any population groups. The number of Indian elders is increasing at a dramatic rate. And, we all know that in any population it's the elders that have the greatest utilization of health resources. At the same time, we have "new" tribes that are being recognized. So, in addition to a lower current services level, in an sense we are having an increase in the population to be served. There are also in this budget certain earmarked funds, as we look at it, that are not being used for health services—they're being diverted for other purposes. You've had a discussion of the so-called move to Albuquerque. We were told in a meeting with Indian leaders a week or so ago, by an official of the Office of Management and Budget, that $2.5 million was just for a study. I would suggest to you that, if that's what a study costs, that is a prime candidate for the Golden Fleece of the decade. But, things like that are put into this budget, the numbers look like they're there, but little things like this begin to erode your ability to spend that money on the real kinds of health services and the community support issues that we really have to deal with.

The admission is right up front that you're going to cut the service level of the CHR by almost 10 percent. And, I think we've had ample testimony over the years of the importance, the critical importance, of that program. And, that's a program that's run totally by the tribal governments. We're beginning to erode again their ability. If you fund them at exactly the same level next year, clearly there's going to be less service.

I have seen absolutely no evidence to support the contention that somehow or other the Urban Indian Health programs are going to be able to collect enough additional third-party resources to make up for the $1½ million cut that's being proposed in this budget. I'm sure that Mr. Steeves will give you that in great detail. But certainly, these third-party payers that the budget suggests are going to pay the urban groups are already themselves in serious cost-cutting efforts. And, I think it's going to be extremely difficult to find that. Certainly, there's no evidence for it. We understand that it's unlikely that there's going to be a supplemental appropriation this year. Again, if that's the case, you're building in somewhere, $5 to $6 million of deficit that again will be carried over into the next year.

I have to respectfully disagree with Dr. Rhoades on the diversion of the Medicaid/Medicare money. I'm afraid that that is basically a budgetary technique to cover mandatory costs. The Administration has tried to do this for a great many years. They become more creative each time that they do it. I think the basic issue is that that money is not to cover mandatory cost increases, but it's basically to cover the joint commission or Accreditation of Health Care Organizations improvements.

Well, as a result of all these things, Mr. Chairman, I believe that we have a substantial shortfall, in just the amount of money necessary to maintain the current services level. I'm sure that Dr. Rhoades and the tribal leaders and their respective health staffs are going to make every effort to economize, to be more efficient, to find other resources, but I doubt that they can make up what may be anywhere in the neighborhood of $30 to $35 million just off the top of a deficit in maintaining this current year's services. If they can't cover that shortfall, then of course Indian health is at risk again.

The second major problem I have with it, as I said, is this policy of deciding first and then consulting, which we've seen so frequently in this administration. We have in the budget a whole series of things; the move to Albuquerque we've already discussed; the changes in appropriation language that on the surface are so seductive, they sound like such a good idea for more efficiency, management efficiency, and to support self-determination and all, but let's look at some of this stuff. What does it really mean? If you allow the money to be available until expended, no-year money, there are all sorts of administrative techniques, mechanisms, processes that can be used to force the Indian Health Service and tribes to delay the expenditure of money, the obligation of money. And that can be done without imposing on the budget reform act. You don't have to go through rescissions and deferrals, you just find various administrative mechanisms to delay obligation. Now, we know this works. This was done in the facilities account, Indian Health Service facilities account, which is, again, no-year money. The most recent experience was the health facilities at Sacaton, Arizona, and Rosebud, South Dakota, where these kinds of administrative procedures delayed for years the construction of these facilities, until Congress had to put specific language in statute to force them to move ahead. I see the potential of this whole process going on into the entire Indian Health Service budget. The idea may have some merit, but we don't understand what kind of safeguards could be developed.

We talk about these things by setting the two separate appropriations, one for tribal programs and one for federally-operated programs. Again, that sounds like a fine idea. We want to protect the base of the Tribal programs, yes, we do. It's very important. But, what is this doing, really? What could it do? Depending upon how you set those numbers, you could set the side over on the tribal side so high that, for tribes to be able to maintain programs, they would be forced to contract. It's a mechanism to coerce tribes to go into the contracting mode. On the contrary, on the other side of the fence, those tribes who exercise their self-determination by demanding that the Indian Health Service operate their program could find their programs reduced, depending upon how that cut was made. We don't understand how that can be done with the appropriate protection. These are not just hypothetical, but this has been done. Before Congress put the prohibition on personnel ceilings on the Indian Health Service, I watched attempts to coerce the tribes to contract in order to deal with the personnel ceiling issue.$

One year, we had 1,400 positions taken out of our OMB passback, and I said, what are we going to do without 1,400 positions? They said, you'll get the Navajos to contract their program. Well, obviously, we won that battle. But, that's the kind of thing that can happen, and I think we've got to look at those kinds of dangers. This is why I say we need to have the consultation first. We need to have this laid out and understand all of this, what these changes mean. What are the protections? What are the pitfalls? And, then if there's a consensus in the Indian community, and this is the right way to go, then let's put it in the President's budget. Let's just not dump it on our folks without any kind of understanding.

I would like to close by making several specific recommendations. First, I think that at a minimum we would encourage the Congress to fund the health programs at least at the current services level to make up for that shortfall. And, if it's at all possible, I think we still need to have some modest program growth. The needs are well known. The deficiencies have been amply documented.

In spite of statements that the level of funding is adequate to support tribal management, indirect costs and so forth, I think it's unclear from the budget justification whether that is really correct or not. My discussions with tribal leaders suggest that we may still have some problems there. I think that number is known in the Indian Health Service. I think it would be in the interest of Congress to determine whether in fact sufficient funding for indirect costs is in this budget. And, if there is a shortfall, certainly that should be eliminated.

I would like to suggest that some consideration be given to providing at least some initial funding, or restore funding again, to what's called the Indian Health Care Improvement Fund. As you know, that's authorized in S. 129, for Fiscal Year 1989 in the range of $19 million. That, in the past, was a very good and reasonable way of dealing with correcting the equity problems between the various tribes, and certainly was the only really effective way that you could deal with initially meeting the health needs of newly-recognized tribes.

As I suggested earlier, all these appropriation language changes simply should be rejected. I think the potential for abuse is just too high for us to recommend them.

I think we ought to try to deal again with this issue of consulting before we make the decisions. I would hope that the Congress would encourage the Administration to stop that practice. We waste a tremendous amount of time—and the emotional burden, the time and effort that tribal leaders and all of us spend fighting some of these rear guard actions are simply—we have better things to do with our time. We ought to have the consultation first, and then the decisions.

Certainly, we ought to continue to construct Indian health facilities, and we certainly ought to continue the Indian Sanitation Facilities Construction Program. There is a need for some changes in the Indian health facilities priority system. Dr. Rhoades and his staff have addressed that. There is a change in the methodology out now being considered by tribal leaders, but I don't think it makes sense to stop everything while we go through that process. The facilities that are high on the priority list have stood the test of time. They are needed. They've been well justified. I think we need to proceed, but to give every encouragement to the Indian Health Service to proceed to finalize this modified priority system, get a new national priority listing together, so that can be available to Congress at the earliest possible time.

I've already discussed the Albuquerque thing. I would only like to say that, instead of taking the $2.5 million out of the budget, I think that money ought to be left, but put back into health services, not into a study.

And finally, as Ms. Harjo said, even though it's not directly a part of the budget, I think that the Department should be directed to withdraw the eligibility regulations. I think it's time for the Indian Health Service and the tribes to revisit this issue in consultation and then bring it back through the regulation process after there is some consensus.

I feel very optimistic, Mr. Chairman. I think many positive things have happened. With the support of this committee and both Houses, we have moved forward in the last 8 years, as we did in the previous years. And, I believe that, with the kind of partnership between the Congress and the Indian Health Service and the tribal governments, this progress is going to continue.

[Prepared statement of Dr. Johnson appears in the appendix.]

The CHAIRMAN. Doctor, your unique insight into the activities of the Indian Health Service, resulting from your many years of service with that organization is most valuable to us. And we thank you very much.

Mr. Steeves.

STATEMENT OF BERT STEEVES, EXECUTIVE DIRECTOR OF HUNTER HEALTH CLINIC ON BEHALF OF AMERICAN INDIAN HEALTH CARE ASSOCIATION, ST. PAUL, MI

Mr. STEEVES. Mr. Chairman, committee members, it is an honor and privilege to come before you today, on behalf of the American Indian Health Care Association representing 37 Urban Indian clinics.

I bring to you a cross prospective as far as my position and role as one of the co-founders of the Urban Indian Health Clinic in Wichita. I also serve as the Regional President for the American Indian Health Care Association, the Oklahoma City service area, and the state coordinator for community health for the National Association of Community Health Centers. The importance is not the roles, but the perspective that those roles bring to the viewpoint of Urban Indian health care.

We also wish to bestow on you, and this committee, the best wishes and blessings from our elders. It is known far and wide throughout the Country, that your leadership and your staff, and this committee's action, and of your special heartfelt interest and concern for us.

Our goal today will be to present the Urban Indian health profile including needs, cost effectiveness, advancements, quality of management and unduplicated care.

In the past years the Administration has not proposed realistic funding for Indian Health Service. It is our understanding that this year the Administration proposes a 10 percent decrease in funding for Urban Indian health care as Dr. Johnson has alluded to. OMB's rationale for this decrease is based on increased fee-for-service revenue. All factors are not figured into this equation. We would actually need a 36 percent increase in fee-for-service revenue to offset this reduction. We experienced this past year a seven percent decrease in fees for services in addition to other areas of budget cuts.

Some of our clinics based on verified income have 50 percent to 70 percent of patient populations below the Federal poverty guidelines. The Administration's recommendation the past six years for the phase out of the Urban Indian Health Clinics citing the alternative resources. We know in the past and we know in the future, that this is not the case. Today I bring to you letters of support from major hospitals in our particular Urban area citing the cost effectiveness, the quality of care, and the cultural and economic barriers that are paramount in the Urban Indian community.

Recent surveys conducted this past year by Indian Health Service, the State Health Departments and local resources. We understand that the results were 90 percent in favor of the Urban Indian Health Clinics. That the existing systems could not pick up these services to Urban Indians on existing tax resources. Many responded that this is a Federal responsibility. We urge you not to permit this to occur. We are requesting $14.5 million for the Urban Indian health programs based upon the following: $10.159 million as a base funding level; $1 million for an AIDS initiative; $1 million for mental health services; $1 million for a perinatal care infant mortality initiative. Also we would like a $1 million increase in existing Urban Indian health programs to meet the ever increasing needs, and we have recommended a $300,000 additional increase for new starts.

We will attempt at this time to justify those recommendations. We are very much concerned about the AIDS issue. As you are aware, there are epidemic proportions throughout the Country and exists also in the Urban Indian population.

Our mental health resources and Community Mental Health Centers, non-Indian facilities are taxed, and many have stated that they cannot meet the cultural and economic barriers due to the lack of training that's required, they do not understand the individual Tribalism morays, values and tradition.

In the infant mortality category, while we commend Dr. Rhoades and Dr. Johnson for the outstanding work in this issue, this did not include the Urban projects. The data was not available, we did not have the resources to participate. Since Urban Indians are among the poorest population in the United States, there is no reason to assume that infant mortality is low. Infant mortality among reservation Indians was high until the Indian Health Service made this concerted effort. The Urban Indian health programs have not had the funding available to participate in this effort.

The Urban Indian health programs have continued to improve service delivery to American Indians, as has been cited. Nationally from 1983 to 1987 the Urban Indian health programs have reduced administrative costs from 23 percent to 20 percent. In the previous year, four Urban Indian health projects have been Joint Commissions accreditation certified. Currently we have six projects under review. The average cost last year Nationally in the Urban Indian health programs was less than $90 per medical user. The average cost per user has remained constant from 1983 through 1987, in spite of inflating medical care costs Nationally. We feel it's very important to cite that the Urban Indian health programs Nationally exceeded the Indian Health Service evaluation productivity standards by 39 percent this past year. The proportion of Indian patients to total patients far exceed the proportion of Indian Health Service funds to total program costs Nationally for Urban Indian health. It has been impossible for programs to increase services to meet the demand during the last six years. During Fiscal Year 1987 the Urban Indian health programs provided 146,000 outpatient medical visits; 62,000 outpatient dental visits; 117,000 community health education, nutrition, mental health and substance abuse services. Programs have ample documentation demonstrating this need. Congressman Yates in 1983, I appeared before his committee. He cited that the Urbans are one of the most successful cost effective government programs in the Country and continue today to offer this support.

Approximately one-half of the Urban American Indian population resides in urban areas without an Urban Indian health program. There are currently 18 such cities that meet the Federal requirements and regulations for funding.

Our other recommendations are as follows: In addition, we recommend corrective language to include Urban Indian health programs in Public Law 99-570, the Omnibus Drug and Alcohol Bill. The regulations governing the administration and enforcement of this bill do not include Urban Indian health. The problems of substance abuse and its effects to not respect reservation boundaries. A coordinated effort, including the Urban programs would be cost effective and would be total treatment. This could possibly be put into the Indian Health Care Improvement Act, or language to be decided upon by this committee.

In relationship to the eligibility regulations, we too, the American Indian Health Care Association feel very strongly that this needs to be studied and clarified. It is our understanding that the eligibility regulations do not include Urban Indians, and this should also be clarified.

Regarding the allocation formula, we realize that the current system of providing funding for Urban Indian health on a historical basis has been tenuous. We have been part of that fight for the past nine years. We support a rational method for allocation. We have worked intensively with Indian Health Service and the committee for research in determining an allocation formula, and that effort still continues today.

Mr. Chairman, American Indian and Alaskan Native people have always been a mobile population. Indians residing in urban areas maintain strong ties with their tribal brothers and sisters. A move to the city does not eliminate serious health, social, emotional and economic problems. To ignore the Urban Indian population is to abandon the National goal established in the Indian Health Care Improvement Act in 1976. We believe that this goal is achievable and that the health status of Urban Indians can only be a parity with the rest of the American Indian population through these efforts.

We also would like to support the initial original IHS budget requesting to maintain and improve the IHS at or near $1.1 billion to $1.5 billion, including inflation and maintaining the vitally needed CHR program and the Urban Indian Health Programs. The realistic budget submitted by the employed IHS professionals, and I have had the opportunity to work with them throughout the Country, should be the budget that is considered.

Additionally we are opposed to the proposed study to relocate IHS for the same reasons that were cited by Dr. Johnson. This would take the efforts we know as an Urban Indian Health organization, we have very few projects that can get up here to testify because of lack of resource dollars. This would be more difficult for all of the Indian Country if the relocation should take place. We respectfully request your continued support and commitment in this committee.

Thank you.

[Prepared statement of Mr. Steeves appears in appendix.]

The CHAIRMAN. Thank you very much, Mr. Steeves.

I would like to begin the questioning by asking questions at the request of Senator McCain, who wanted very much to be here this morning, but because of the pending debate he has to be on the Floor.

Dr. Rhoades, the Fiscal Year 1989 budget, the full budget, includes a $1.3 billion and a 1,351 full-time equivalent staff for research, prevention and other related activities connected with the battle against AIDS, this is the National program. This sum and this additional staff represents a $349 million increase over the Fiscal Year 1988 appropriations to create an AIDS emphasis program in the Public Health Service. Three hundred forty-nine million has been added to the PHS budget. Why is IHS, your service, the only agency out of the seven public health service components not included in this program?

Dr. **Rhoades**. Mr. Chairman, the decision was a conscious one on the part of the Indian Health Service. The funds that you have identified that have been requested for the department, and the funds that have been available in the department previously are in fact available to the Indian Health Service in some part and to Indian communities. For example, we are entering into right now a memorandum of agreement with the Centers for Disease Control, which I believe is going to be quite successful and is going to make a substantial amount of funds available to us to increase our AIDS activity. We have established an AIDS coordinator in each of our areas. We have instituted, although it is in the early stages, a very extensive education program using the guidelines of the Public Health Service. In addition, there are funds available through Health Resources and Service Administration for the care of AIDS patients, and we are entering into an agreement with them to provide funds to us as well. I have every reason to believe that that will be successful.

Part of those funds clearly are start-up funds. I believe that they will carry us forward to an appropriate time when it may be necessary then for us to request funds in our budget for the AIDS effort.

The **Chairman**. How many staff are providing AIDS services in IHS at this time?

Dr. **Rhoades**. How many staff?

The **Chairman**. Yes.

Dr. **Rhoades**. I don't know that. It would be very difficult to identify. A great number of—let me just say that to date there have been 52 cases of AIDS identified in Indians. Almost all of those have resided, at the time of diagnosis, outside the service area of the Indian Health Service. The risk factors and demographic distribution of the AIDS cases thus far in Indians mimic very, very closely that of the rest of the population, homosexual males, intravenous drug users, located on the coasts of the United States. In fact, if one looks at AIDS in comparison with infant mortality, diabetes, accidents, violence, AIDS doesn't even compare in severity to those other conditions, and I believe it would be an inappropriate use of funds to move from the targeted approach to the epidemiology of morbidity and mortality in Indian communities to do a great deal more than is presently planned. I don't intend for that observation in any way to minimize the potential impact of AIDS, or to imply that we will not be giving continuing attention to AIDS. As the committee undoubtedly knows, there are certain reasons to believe that in fact ultimately the impact of AIDS might be somewhat greater in Indian communities than in the rest of the population.

When we design a program, ultimately we ask ourselves what is it that a reasonable physician would do in this instance. And we believe that our approach to AIDS at this moment, based on education, largely, taking advantage of the existing efforts, directing them towards Indian communities, including the development of specific educational material for Indian people, which we are exploring right now with the Association of American Indian Physicians, and the American Red Cross, which as you know is a major, major educator in relationship to AIDS. I believe that our approach is appropriate. I realize that there may be others who would say, we're not proceeding rapidly enough.

The CHAIRMAN. I somehow recall about five years ago when a similar question was asked in another committee, the response of the Administration witness was almost exactly like yours, that compared to other diseases this is of no concern, of no import, that it is just a small amount and education would do it, et cetera. And today, it's an international epidemic. Aren't you in a good position with a close-knit society to prevent an epidemic in Indian communities? You usually start off, when it comes to AIDS, with one person.

Dr. RHOADES. Yes. I——

The CHAIRMAN. I recall one person from Canada who was responsible for spreading AIDS to 25,000 people in the United States.

Dr. RHOADES. I've read those accounts, not adequately documents scientifically, but obviously there had to be a source somewhere. If you take all of the AIDS deaths in the United States to the present time, it still does not equal the deaths from automobile accidents of American citizens each year. AIDS, should it proceed in the initial projections, which has not yet been demonstrated, will be an enormous ravage in the United States. Still, if one targets one's efforts to the causes of the years of premature life lost, if we took half the resources available to the Indian Health Service, let's say, I believe it would be a major, major medical mistake. And let me emphasize once again, my remarks must not be taken as ignoring the threat of AIDS, or minimizing the threat of AIDS in any way. It is a matter of perspective, notwithstanding the general hysteria that surrounds the problem of AIDS because it is so little understood at the present time. Until someone has demonstrated or is close to demonstrating an effective vaccine, a very effective therapy, or some other technique that is clearly going to be equivalent to Isoniazid with Tuberculosis, I believe that throwing money at AIDS, if I could take a position I don't necessarily want to take, but except for emphasis, is not going to do anything about the incidents of AIDS.

I think that that is a view that is widely held by my colleagues in the field of infectious diseases. I guess—I certainly respect the opinion of those who say that Indian Health Service should be doing more. I accept that. And I think that perhaps we could establish how much more and so forth. I believe that we are developing a sound program, put in place—as you undoubtedly know as well, there's hardly an epidemic that has ever occurred in the world in which it is clear that the intervention that was brought to bear had anything really to do with the elimination of that epidemic. That's a very, very difficult thing to know. Again, one would never use that as an argument to do nothing. And I do not believe we're doing nothing. I believe we're doing a great deal, and we will do more this year and in subsequent years.

The **CHAIRMAN**. Surely you are not suggesting that the increase requested by the Administration is throwing money at this problem?

Dr. **RHOADES**. No; and I use that terminology merely to emphasize a point. I'm not in a position to make a judgment about that.

The **CHAIRMAN**. In other words, you don't want them to throw money at the IHS but with other public health services it would be okay.

I have another question from Senator McCain. Alcoholism is the principal reason for 4 out of 10 leading causes of death. This committee has heard from nearly 40 Tribes that the IHS Alcoholism Substance Abuse program needs at a minimum $9 million to staff each of the regional treatment centers and $2.5 million to construct two facilities in the Portland and Billings area. Are these included in your fiscal year 1989 request?

Dr. **RHOADES**. Let me deal with the construction first. The construction funds are available as a result of the 1988 appropriation in which $5.5 million was made available for this specific purpose, and could be spent in subsequent fiscal years.

The **CHAIRMAN**. But it's not set aside for the two places?

Dr. **RHOADES**. It's not set aside for?

The **CHAIRMAN**. For Billings——

Dr. **RHOADES**. And the Portland area?

The **CHAIRMAN** [continuing]. And Portland?

Dr. **RHOADES**. Yes. The Billings and Portland areas certainly will receive support for one of the 11 that was authorized in the 570 legislation. Now you may be referring to some specific other facility in those areas. I'm referring only to the so-called Regional Adolescent Treatment Centers. There will be one in the Portland area, and there will be one in the Billings area with existing funds.

In relationship to the staffing of facilities, I would need to check the number to be specific, but I believe that the increase in the hospitals and clinics budget permits a provision of the $9 million needed to staff the facilities that will be coming on-line in 1989.

The **CHAIRMAN**. The budgets of previous years have projected a completion of the Hepatitis B screening program, and that only a minimal amount will be required for the maintenance of this effort. This year's budget request projects an increase in the Hepatitis B screening program. What's happened over the last fiscal year that has necessitated this revision?

Dr. **RHOADES**. The approximately $390,000 a year is the maintenance of the program that now consists, after we have successfully controlled Hepatitis B in the State of Alaska and American Indians and Eskimos up there, so that the incidents of new cases of Hepatitis B is now less in that group than in the remainder of the State. There still is about, I think, the last figure I had, something like 30,000 or 35,000 carriers of Hepatitis B antigen. Those carriers are at a certain degree of risk of developing primary Hepitocarcinoma of the liver. There are screening tests available to detect that tumor because of a peculiar protein that it makes, and we are continuing to monitor those known Hepatitis antigen carriers. In addition, it is now part of the routine infant immunizations to immunize all infants born in those high endemic areas on the Southwest coast, and to test their mothers. That is what that basic program will consist of for many, many years. And the increase of approximately $22,000 is just simply the additional cost of maintaining that program. It certainly doesn't indicate that anything else is going on in relationship to the Hepatitis B, which I might like to go ahead and emphasize is again, another major health achievement from the Indian Health Service.

The CHAIRMAN. I will make a statement and ask you whether you agree or disagree with this statement. In last year's budget request, OMB directed the Indian Health Service to implement an initiative that would result in the Tribal administration of 75 percent of all IHS programs within 10 years using the self-determination contracting authority. And the justification for this initiative is that it will reduce the Federal Government's cost of providing health care, even though 12 years of experience with contracting under the Self-determination Act would indicate that Tribal administration of programs requires a larger Federal investment given the economies of scale that are associated with Federal program operation. OMB argues that a reduction in Federal employee costs could be achieved under Tribal administration of programs on the grounds that Tribes could pay lower wages to health care providers.

In contrast, most contracting Tribes believe that the only way to attract quality health care personnel is to pay competitive wage rates, if not incentive wage rates. Tribes that have not opted to contract point to the reduced Federal funding commitment for health care program operation that acts as a disincentive to Tribal assumption of program administration and operation.

The initiative is being carried forward in fiscal year 1989 under conditions that some perceive to be an additional disincentive to contract, that is because there has been no increase requested to fund Tribal indirect costs. The $24 million proposed to fund the indirect costs associated with existing Tribal contracts, and the $2.5 million proposed to fund indirect costs associated with new and expanded Tribal contracts will have to be drawn from the IHS direct service accounts, thereby reducing services provided to those Tribes that are not currently contracting the administration and operation of IHS programs.

Do you agree with this observation?

Dr. RHOADES. That's an extraordinarily extensive——

The CHAIRMAN. Do you agree with this observation that 12 years of experience with contracting under the Self-determination Act indicates that Tribal administration of programs requires a larger Federal investment because they do not enjoy the economies of scale that you have in the Federal Government?

Dr. RHOADES. Let me be sure what I'm agreeing with, in that——

The CHAIRMAN. The OMB says pass on the responsibility to the Tribes because they can do it cheaper. The 12 years of experience shows that you need a larger investment when you contract, is that correct, or is that wrong?

Dr. RHOADES. I'm not sure that I can avouch for the line of rationale that the Office of Management and Budget has put forward. But the answer to your question, as I understand it, does it cost more to contract with the Tribes for the services provided by the Indian Health Service? Well demonstrated, yes, it costs more. And I think there can be no real disagreement with that.

The CHAIRMAN. So that's your experience. Second, is it possible to get quality health service personnel at a lower rate? Do you expect quality health care personnel to travel to these distant reservations under less than desirable conditions and work for less than what they receive in urban areas?

Dr. RHOADES. I would say that I believe that is an extremely tenuous assumption to make.

The CHAIRMAN. Are you having difficulty, or no difficulty, in recruiting personnel into the IHS to serve in Indian reservations?

Dr. RHOADES. Yes, we are having difficulty?

The CHAIRMAN. Why?

Dr. RHOADES. Many, many factors, only one of which is the pay that is available to——

The CHAIRMAN. What about housing?

Dr. RHOADES. Yes, housing is a problem.

The CHAIRMAN. Housing, pay, work conditions?

Dr. RHOADES. Yes, sir.

The CHAIRMAN. And do you expect Indians to be able to hire health care personnel at less than what you're hiring?

Dr. RHOADES. My position would be that except for the greater flexibility that Indian Tribes have in a number of ways, it is inappropriate for the Indian Health Service to make a judgment as to the pay level that Indian Tribes should or ought to pay to employees that they would seek. One would anticipate that they would have generally the same difficulty in hiring that we would have. And I recognize the objection that the Chairman has to the tone of a statement that sounds very much, if I could speak as an Indian person, well, let the Indians get by by hiring cheaper labor.

The CHAIRMAN. Isn't that the result?

Dr. RHOADES. And I certainly cannot—I'm sorry?

The CHAIRMAN. Isn't that the result?

Dr. RHOADES. That could be a result, yes.

I must state that I find that objectionable.

The CHAIRMAN. But you are prepared to implement the OMB 10–75 initiative?

Dr. RHOADES. The discussions that we've had with the Office of Management and Budget about the so-called 1075 initiative is that they have continued to emphasize to us that that is not an imperative in the sense of the 10 and the 75, but that they have expressed to us that there are other reasons for supporting Indian self-determination as well, not just purely economic ones. And that there should be continued, even increased efforts directed towards increasing the assumption of control by the Tribes.

I have even heard Office of Management and Budget state, as Tribes have stated, that in fact the Indian Health Service has dragged its feet in relationship to moving forward expeditiously in the field of Indian self-determination, a criticism that I take advisedly. I don't deny that there may be some of that, although we've taken steps to eliminate that as much as possible, so that I must say that in the discussions that Indian Health Services had with the Office of Management and Budget, is not expressed in the imperious manner in which you have just presented it from that standpoint. What OMB has said is that if this is an activity that Indian Health Service engaged upon, we should do everything possible that we could do to expedite that process.

The CHAIRMAN. The word self-determination is a very important word. We in Hawaii sought statehood because of the two words, self determination. We wanted to determine for ourselves our future and our destiny as Americans.

I would suppose that the same definition would apply to Indians, that they be given the opportunity to determine for themselves whether they want to contract or not to contract. But under the OMB initiative you are by circumstances literally forcing Indians to contract. And that to me is not in the spirit of the Self-Determination Act.

Dr. RHOADES. The position of the Indian Health Service has always been, which we continue to hold as staunchly as we might, stated precisely the way that you have stated it. That is a decision that is made by the tribes, and the pace at which that proceeds is determined by the tribes, unless there are other kinds of impediments that the tribes obviously have to overcome. But certainly it would be very improper for the Indian Health Service to attempt to manipulate the process in a way that the Tribes, as Dr. Johnson has said over, and over, and over, have not determined ahead of time to be that which they wish to do.

The CHAIRMAN. But OMB has given you the marching orders that within 10 years 75 percent of IHS services would be carried out by Indians, isn't that correct?

Dr. RHOADES. I wouldn't call it marching orders. It is a target towards which one might work.

The CHAIRMAN. I have questions submitted by Senator Melcher as he is presently also involved in this extended debate on S. 2.

What was the National shortfall in contract health care last year? I should point out that Senator Melcher reports that for the State of Montana it was a $2 million shortfall, which has been the average for several years in that State.

Dr. RHOADES. It's very difficult to establish precisely what a shortfall is in the contract health care account. I am not familiar with that figure that has been given for the Billings area, and am certainly not in a position to argue against it or for it. I would be very happy to provide an in-depth analysis and make it available to the committee.

The CHAIRMAN. We would be very happy to receive it. But do you have any backlog of services?

Dr. RHOADES. Yes; there is a group of services that we call a backlog of services that is not as accurate as we would like, because it is created in a number of ways. And we don't know the accuracy of that. But there continues to be a backlog of services.

The CHAIRMAN. How much is that?

Dr. RHOADES. By the end of fiscal year 1987 calculation that we have of several categories, of which I might just mention a few: high risk obstetrical care; pediatrics care; surgery, and so forth. Services that could have been rendered had funds been available amount to about $64 million.

The **Chairman**. In the case of Montana, the $2 million was the number provided by the Montana Area Director of the IHS, and it represents the shortfall on emergency and urgent medical service.

How does the IHS allocate contract health care funds on an area by area basis?

Dr. **Rhoades**. We use a resource allocation methodology that has come to be known as ARAM in which we allocate not only the contract health care dollars, but the hospitals and clinics dollar, all of our clinical services based upon population, but in addition taking into account the actual utilization of those services modified by efficiency in which we use the same general concept as Health Care Financing Administration, having to do with outliers, and then finally modifying it further based upon some estimate of mortality, that is moving in the direction of allocating our resources toward the greatest medical need. We apply that to each area and use that in deciding the amount of money to go to each area.

The **Chairman**. We have many questions we would like to submit to the panel, and if we may we would like to hear from you and receive your responses in a timely fashion. We want to be able to submit our reaction to the budget so that we do not have to resort to the continuing resolution process that we found ourselves last year.

So I thank you very much, and we will be submitting additional questions.

Dr. **Rhoades**. Thank you.

The **Chairman**. Our next panel consists of the Honorable Ross Swimmer, Assistant Secretary for Indian Affairs, Department of the Interior; and once again the Executive Director of the National Congress of American Indians, Ms. Suzan Shown Harjo; the Chairwoman of the Board of Directors of the Council of Energy Resource Tribes of Denver, Ms. Judy Knight, and she will be accompanied by Mr. David Harrison, Senior Advisor of that Council; Mr. Joseph A. Myers, Executive Director, National Indian Justice Center, of California; and the President of the Intertribal Agriculture Council of Beggs, OK, Mr. Robert L. Miller.

STATEMENT OF HON. ROSS SWIMMER, ASSISTANT SECRETARY FOR INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR, WASHINGTON, DC, ACCOMPANIED BY LINDA RICHARDSON, ACTING CHIEF, DIVISION OF PROGRAM DEVELOPMENT AND IMPLEMENTATION

Mr. **Swimmer**. Thank you, Mr. Chairman. I appreciate this opportunity of appearing before the committee. You have accepted our testimony, I understand in the record, so I'll make a very brief opening statement.

I have with me on my left, Linda Richardson of the budget office of the Bureau of Indian Affairs who I hope will be able to help me on some technical questions that might come up in the question and answer portion.

Just to briefly and quickly highlight where we are in the 1989 budget, last year in 1988 the Bureau of Indian Affairs [BIA] requested a budget of $910 million for our operating account. This year we're requesting a budget of $938 million, approximately $28 million more. However, because some of those increases we are requesting are what I would call necessary increases, not necessarily directed at the resource base of the BIA's budget, about $20 million is actually an increase in what we are requesting for programs. That covers different areas in everything the BIA does. In the education area, which we'll discuss a little bit later, there are several requests to help us address particular problems that we've identified in school programs.

In tribal services we're proposing a couple of new things this year, for very small amounts of money but we think can have a very good impact in what's happening on the reservations. One of those, the Institute for Tribal Government, would be a program developed at an existing education facility to assist in providing course work for tribal managers, tribal governors, tribal chairmen, and also for BIA people who are working in reservation related programs. Judicial training is also a new objective we hope to achieve in 1989 to formalize a process of providing training for tribal judges, for CFR judges, and core personnel. This is long overdue, we believe. We've seen by numerous task force reports of different committees the need for improved efficiency and effective justice on the reservations. We have money requested this year to upgrade the social service delivery program.

In economic development there are a couple of things that I think the committee would note. One is, we are proposing an increase of the allowable guaranteed loan program. However, at the same time we're proposing that the grant program, the Business Economic Development Grant Program be discontinued. This year we helped to create with the Indian community an agriculture working committee. The chairman is appearing here today on the panel. I think this holds tremendous promise. We expect to support that committee financially, and anticipate a lot of requests for changes in regulations and laws that can assist us in the management of tribal lands and agriculture. We have other requests for continued work on our land record and title system which is essential to get our title plats current and keep them current and computerize them.

In the administration side of the budget, we are asking for specific requests to help us get onto the Department's accounting system, an acronym, it's called FIRM, but it's the financial system that the Department of Interior is developing. We feel it's essential because of concerns that have been expressed over the administration of the BIA and our accountability. I have asked and believe we have prevailed on the Department to come into that system early, which I think is the only way that we can actually provide the necessary upgrade of our financial accounting system. The main increase that might be noted in the administrative side of the budget is the money that has been added for what we call FERS, or Federal Employees Retirement System, to match the money of the people who are going into that. We've also asked for money to expand and improve the ADP, computerized effort of the BIA.

That's just a brief highlight. I'd like to leave it at that. I know that the committee has questions and our time is short and would be pleased to answer whatever questions we can and hear from the panel.

[Prepared statement of Mr. Swimmer appears in appendix.]

The CHAIRMAN. Thank you very much, Mr. Secretary. Before I call upon the others, I would like to just say that the staff and I wish to commend the Bureau for an improved budget format as compared to the one that was submitted last year. It is much more understandable. I think it is very direct. We may have differences in the amounts requested, but we don't see too many of these fancy footwork type proposals in there.

Mr. SWIMMER. I would like to be able to take that compliment, but it really belongs to the lady sitting to my left. I've had an equally difficult time in interpreting the budget in the past, and I think Ms. Richardson has helped tremendously in clarifying that for us, as well as the committee. So thank you.

The CHAIRMAN. I have just a couple of rather simple questions. What is the population of Indian Country?

Mr. SWIMMER. The best——

The CHAIRMAN. The men and women who come within your jurisdiction?

Mr. SWIMMER. We would estimate that it's between 800,000 and 900,000. And that's an interpolation from the 1980 census of 750,000 on-reservation Indian citizens who would come within our jurisdiction.

The CHAIRMAN. Is there a growth rate that you can provide us?

Mr. SWIMMER. We can provide the statistics on the growth rate.

The CHAIRMAN. What is it now?

Mr. SWIMMER. I don't know the percentage, but I can say that what I have read about it, it is one of the fastest growing populations comparatively in the country, and a very youthful population.

The CHAIRMAN. Would you describe your fiscal year 1988 budget as a bare bones budget?

Mr. SWIMMER. I would describe it as what is needed to meet the objectives of the BIA. We should be able to do the job that has been mandated by Congress in the various laws and administering the trust, the education programs, and social services that are required of us.

The CHAIRMAN. So a no-frills budget?

Mr. SWIMMER. I'd say it's no frills.

The CHAIRMAN. You have reduced that fiscal year 1988 level by $45 million, haven't you?

Mr. SWIMMER. The actual appropriation amount, yes.

The CHAIRMAN. So, if you have no frills and it's a tight budget, what are we cutting off?

Mr. SWIMMER. Many of the items that were added in the fiscal year 1988 appropriation were one time add-ons that were for specific either structures, specific add-ons to a program, some I think undoubtedly were intended and have continued in our request for some additional funds over last year's request, but there were many that were just one time that would not have been a recurring item.

The CHAIRMAN. I would just like to note that you indicated, as all of us are aware, that the Indian population is a youthful one. It is the fastest growing in the Nation, and some of our major cuts are in education, where the youthful population benefits. That is what our figures show.

Mr. SWIMMER. I don't believe that is true, Mr. Chairman. On a per capita basis the amount of money going to Indian young people for education today is as much or more than it has been before. It is considerably above the national average spent on public school education.

The CHAIRMAN. One-third of your budget is trust funds, isn't it, those that belong to the Indians?

Mr. SWIMMER. No, sir; our budget that I mentioned, our direct service budget, the proposed budget of $938 million is their operation of Indian programs. There is approximately $337 million that shows in our total over and above that, which is trust funds of individual accounts and tribal accounts.

The CHAIRMAN. Thank you. May I now call upon Ms. Harjo once again?

STATEMENT OF SUZAN SHOWN HARJO, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS, WASHINGTON, DC

Ms. HARJO. Thank you, Mr. Chairman.

Others here will certainly address the education budget and the tribal courts budget, the Justice Center budget, and the energy budget. I would like to make a few remarks and point to some items that others might not be addressing.

In the beginning of the budget proposal, appropriations language prohibiting third-party contracting for trust funds management is included, mentioned, and there is a note that the Bureau will comply with that appropriations language. Later on though, in trust funds accounting and in trust funds management, the intent to contract and the description of the nature of the contracts is quite clear. As you said, it's a very up-front budget. It tells you exactly what is going to be done, in some cases some vagaries, but here it's pretty clear. And, this is something that still has not been fully discussed with the Indian tribes and we don't feel should go further forward until it is the subject of consultation.

Generally, in the area of drug and alcohol prevention—and that was the intent of the Juvenile Drug and Alcohol Prevention Act, which was made a part of the Omnibus Drug Abuse Act—the prevention aspects have been subsumed by the law enforcement and punitive aspects, the focus on facilities, on the criminal aspects, rather than how you keep kids from developing these problems. And, I think that that's a misdirected program approach, almost to the point of excluding prevention, the original intent. And, I think that, notwithstanding all the fine things that this budget does about tribal courts and justice centers, we need less of a law enforcement and less of a punitive approach and more of a preventative approach.

Once again, and this is not unique to this administration, but this administration has carried forth the tradition valiantly, there is no money for land acquisition. And, the true test of any administration of the Bureau of Indian Affairs and their intent in Indian country is whether or not they put money in to acquire land. As all of us know, we don't in Indian country own what we should and we don't control what we own. And, if there's no money put forward for land acquisition, then it's simply not an Indian-directed, Indian-country directed, tribal-controlled and directed budget.

The Institute for Tribal Government sounds like a very nice retirement home for someone. And, I can't imagine who it might be. I hope that this $500,000 will be viewed as a frill by the Congress. The tribes themselves can design this kind of institute if they wish, and come forward, and I would hope that the Bureau would then fund it. I would be most suspicious of an institute for tribal government begun by this Administration of the Bureau of Indian Affairs, which has limited respect for tribal government, certainly, even to the point of not consulting with tribal government. And, I would imagine that this would probably be, in addition to a political retirement home for ex-bureaucrats, something that would benefit a non-Indian entity and non-Indian institutions more than it would the institution of tribal government. In this time when we see the Bureau doing whatever it can to manipulate especially the so-called new tribes' governance forms and documents, I think that it would be an inauspicious time for the Bureau to be permitted to institute this kind of potential mischief maker.

I would note, mentioning "new" tribes, that Cow Creek Band of Lower Umpqua Tribe is not included in the list of new tribes who are to be funded, unless I've missed something. It seems to me that they're the major exclusion of those tribes that have been recognized by Congress. And, I'm told that the Bureau of Indian Affairs has communicated with Cow Creek, that they disbelieve that the Cow Creek Indians are Indian and that Congress has the right to recognize them. I think this is something that Congress is going to have to deal with very clearly, once again, and I'm sorry to see that they've been excluded from the so-called new tribes initiative.

Again, we object to the self-determination grants being cut here, wiped out by $3 million. The justification would make an either/or argument that the small tribes deserve CORE management grants, therefore we must do away with the self-determination grants. Certainly, we could have both, and part of the way to get there by one-sixth is by taking away the Institute for Tribal Government.

It seems foolish to nickel and dime attorneys fees and litigation support, and we've seen it over and over and over and over and over again, if that numbers seven. We have here a nearly 40 percent cut in both attorneys fees and litigation support, knowing that there are needs far in excess of that. The cuts are said to be based on the fact that there were one-time only additions. Well, most attorneys fees and litigation support are one-time only needs, one time for that particular budget cycle, and the BIA knows full well that there's a waiting list, there is a backlog, the need is great and that the individual tribes will go to Congress and ask for the money and it will be added on. And, this is just another ploy to get the Congress to put it on their side of the ledger. And, it's more than an annoyance, because a lot of the tribes fully depend on the litigation support and attorneys fees, and are held up past the point that their rights can be protected oftentimes, while Congress adds on money for those purposes.

We'd like to take objection to the $1.27 million cut in the support for the enforcement functions of the Great Lakes Tribes who form the Great Lakes Indian Fish and Wildlife Commission. The justification for reducing that amount of money is that the Tribes can go through the regular process for it themselves. As the Bureau knows full well, these Tribes are in the hotbed of anti-Indian activity directed against them for fishing specifically, and law enforcement is a great need there, more than it would be ordinarily. This is a small amount to pay, and if the feeling of those tribes is that they should get the money directly, then we would urge Congress to add the $1.27 million at least onto the tribal budgets as a direct line item or, if they agree, to add it to the Fish and Wildlife Commission.

The overall natural resources budget is disgraceful and disingenuous. Also by characterizing the cuts as unnecessary later expenditures because of one-time only need, that one-time only need by one Tribe is replaced by the next in line with another one-time only or two-time only need. And, the entire natural resources budget, as proposed, I think probably needs to be scrapped and Congress just design it all over again, as it has done for the past 7 years.

The hazardous waste $100,000 add-on is added for a study, yet another study, of those areas that won't make the Superfund list. We've had this study now for 3 or 4 years, I've lost track. When money was first funded by the Congress, the BIA had already identified over 50 hazardous waste sites that would not make the Superfund list. This was prior to those particular Superfund standards, but anticipated standards were known. The BIA internally each year has added additional sites. Enough of the sites are known to begin to clean up some of those sites that will not make the Superfund list, and most of the sites in Indian country, it is presumed, will not make the Superfund list, but are hazardous to Indian people. I realize that there are some efforts underway right now in, I believe, three sites, three of the 60 that I know of that have been identified in the Bureau of Indian Affairs, but that's not enough. And, I wonder what the thinking is to just request $100,000 for a study. Is this to pretend that the problem doesn't exist? I'm just really surprised that each year the BIA refuses to look at this realistically at all.

The National Congress of American Indians is supportive of the tribally-controlled community colleges' testimony that will be presented here later, and would like to support their requests.

The Bureau of Indian Affairs budget is easier to read, and I suppose we can be most grateful for few new initiatives.

I would like to remark on the 10 tribes' initiative, whatever name we're calling it. It doesn't mean anything without money. And, if it is a demonstration project, it has to have some funding behind it. We believe there should be additional funds attached to that. And, on behalf of the National Congress of American Indians, I feel it's important to point out that this is a demonstration program, and other tribes will follow suit or not as they choose. This is not, as we understand it, something that is going to be policy setting, or policy-directing. That it is demonstration and it's something that the tribes are participating in for their own reasons, which may or may not coincide with or duplicate the reasons that the Bureau of Indian Affairs has for initiating this. Even though the legislative history would show that the Congress has initiated it, it has been a Bureau of Indian Affairs-initiated thing, and I just wanted to say that sometimes the Indian tribes and the Federal Government say the same language, but they're really talking about different outcomes. Some tribes have very serious questions about the direction that this program is going in, especially with the BIA disavowal of any trust responsibility or obligations once these tribes enter into this kind of initiative.

I just recall my Uncle Phillip Deere, who was a Hodulgee Muscogee stomp dance leader, who used to talk about the Creek Nation Treaty about the water flowing and that it promised that the Creek people would own the river from bank to bank. And, he said, the only thing was, we were talking about the bank of the river and they were talking about the Bank of America. I have a feeling that what the Bureau of Indian Affairs means by this demonstration program is something quite different than the 10 tribes are banking on. And, I hope that we can all make it a very productive and constructive program for them.

Thank you.

The CHAIRMAN. Thank you very much.

Ms. Knight.

STATEMENT OF JUDY KNIGHT, CHAIRWOMAN, BOARD OF DIRECTORS, COUNCIL OF ENERGY RESOURCE TRIBES, DENVER, CO, ACCOMPANIED BY DAVID HARRISON, SENIOR ADVISOR, COUNCIL OF ENERGY RESOURCE TRIBES, DENVER, CO

Ms. KNIGHT. Thank you.

On behalf of the Council of Energy Resource Tribes we thank the committee for letting us have this time.

The Bureau of Indian Affairs has requested $6.8 million for minerals and mining for fiscal year 1989. And once again the Bureau has forgotten the Council of Energy Resource Tribes, and it seems like its intention is not to continue to contract with CERT. The Congress in recent years directed the Bureau to contract with CERT in the amount of $250,000. We are requesting the committee to recommend that this level of funding for CERT be continued in fiscal year 1989.

We believe that we do more with this $250,000 than the Bureau does with the remaining $6.5 million that it gets. Since CERT is run by the tribes themselves, these moneys are put to use to work that reflects tribal priorities, not BIA priorities. Some examples of last year's efforts by CERT include: Large wildcat play by Mobil on Pueblo Lands in New Mexico; recovery of $4.1 million by Black Feet in tax dispute; satisfactory negotiations of gas accounting problems with Department of Interior on the NTL5; and work on my reservation which is the Ute Mountain Ute Reservation, negotiations with an oil company; and also setting up systems so that we would do our own accounting and keep track of the revenue that we are getting from the oil companies, because that has been one of our big problems. And CERT is very helpful in helping us with that as well as working with all our member tribes on many projects which the tribes themselves have asked for assistance from CERT.

With me today I have David Harrison, who is the Senior Advisor to the CERT organization. He will answer any questions or make some remarks also to what I have said.

STATEMENT OF DAVID HARRISON, SENIOR ADVISOR, COUNCIL OF ENERGY RESOURCE TRIBES, DENVER, CO

Mr. HARRISON. If I may, Mr. Chairman, point out that a good deal of the work that the CERT organization does is work of a broader gauged basis than is available to tribes from the Bureau. And in fact, in larger measure because the responsibility for minerals activities is so dispersed throughout the Department of the Interior, with the Minerals Management Service, the Bureau of Land Management, the Office of Surface Mining Reclamation and Enforcement, the Geological Survey, and the Bureau of Mines. Much of the rulemaking and much of the decisions that affect Indian mineral properties are made by those other agencies.

We have over the years had to pay attention, work with, negotiate directly with all those other agencies, and because they're all in the same Department, if we take issue with something that MMS is doing, or that BLM is doing, as mightily as Secretary Swimmer may try to carry the fight for us on the inside, once the decision is made in the Department, then we're pretty much on our own to go head to head with those other agencies. In the past year issues of literally dozens of millions of dollars a year were at stake on rulemaking with regard to product valuation for oil and gas and coal. Some $34 million was on the table in the abandoned mine land reclamation fund that the Secretary had announced he was going to pocket for use in other parts of the country from tribal accounts.

We are right now working with the Minerals Management Service on trying to come up with some kind of mutually agreeable methodology for determining average weighted costs of capital for investments in transportation and processing plants for gas produced from Indian lands. Those are areas that the Bureau has not in the past and is not equipped to provide assistance to tribes. Because we are dealing with other Interior Department agencies, and as I say, once that decision is made it's not realistic for the tribes to expect the Bureau to go to war or go head to head in public with sister agencies of the Department. That is one of the principal roles that has fallen to this tribal organization in recent years.

So we'll be very grateful if this committee, as the Chairman has suggested, see fit to recommend that that level of effort be continued with this organization, so that these tribes can see that their interests are in fact represented in these kinds of issues that are going on just on a continuing basis.

Thank you.

The CHAIRMAN. Thank you very much.

Mr. Myers.

STATEMENT OF JOSEPH A. MYERS, EXECUTIVE DIRECTOR, NATIONAL INDIAN JUSTICE CENTER, PETALUMA, CA

Mr. MYERS. Thank you, Mr. Chairman. I appreciate the opportunity to make these remarks to you about the funding of the tribal courts systems. I would like to address three areas and provide a summary of the written testimony that I've submitted to you.

The three areas are the funding of tribal court operations, the appellate court project currently underway by Judicial Services in the BIA, and also the future of training and technical assistance for tribal courts.

The time really has come for both Federal and tribal policymakers to take a very serious look at the situation of tribal courts in terms of funding and where we're going in the future. Tribal courts are in a very unhealthy position with regard to the criticism that's being launched by the U.S Civil Rights Commission. Much of the criticism about tribal courts and tribal court operations can be traced directly to the inadequate, unstable funding that tribal courts have received historically from federal dollars, and tribal dollars allocated to tribal court operation.

The $9 million spent in each of the past three years of federal dollars is a dramatically inadequate figure. If you doubled that figure, you'd just be barely meeting the needs. There have been several studies made almost 10 years ago now, about tribal courts and the funding conditions. Those studies are outdated and should be updated because we can't rely on 10-year old statistics.

Usually, the way tribal courts are funded today is by 638 contracts in terms of federal dollars. That is a problem. Tribal courts are supposed to be equal branches of tribal government. They are supposed to be governmental institutions theoretically. If tribal courts must compete with a tribal road department, or a housing improvement project of a tribe for 638 funding, then I think you denigrate the integrity of tribal court systems rather than helping to develop the integrity of those systems.

Yesterday, I was at a training session on Indian probate law where I talked with some Tribal court judges about testifying here. One judge from a small pueblo in New Mexico explained that his 638 contract for his tribal court operation amounted to $52,000 and was in jeopardy because another 638 program of the Pueblo was not completing adequately its paper work. There was a threat by the Area Director to halt all 638 contracts for that particular Pueblo. That should not be the case. I don't think that your judicial system should be subject to the frailties of programs of tribal government the tribal court has to be considered in the future as an equal branch of tribal government, not a tribal program. The 638 process relegates tribal courts to tribal programs. And it makes for a competitive environment for obtaining funds. Tribal courts should be concerned about planned development with the goal of providing comprehensive, fair and equal justice to members of Indian communities across Indian country. We need to change. The judge of the court of the Pueblo I just referred to is a lawyer. He has a probation officer with 9 years experience who handles both juvenile and adult probation. He has one clerk and the budget for the entire operation amounts to $52,000. A magistrate in New Mexico makes $30,000. A district court judge in New Mexico makes approximately $60,000. We're talking more than the entire budget of that tribal court. Maybe there are caseload differences here, but nonetheless there are serious inadequacies when we look at the breakdown of what that budget covers.

The Chief Justice of the Navajo Nation was at this training session that I just left. He explained to me that the Navajo Nation court system processes 45,000 cases annually. There are 210,000 Navajo Tribal members on the Navajo Reservation today. Their court budget amounts to $2.1 million, which is on the other end of the spectrum from the Pueblo that I just described. However, that court budget according to the Chief Justice is inadequate and if you double that budget you would be barely meeting the needs. We've always been in the hole with regard to tribal court funding. In order to make any difference, in order to reduce the criticism of tribal courts in the future and to avoid diminishing tribal court jurisdiction, and provide some way of improving and expanding tribal court jurisdiction, we must look very seriously at the funding situation. Unfortunately $9 million isn't even in the ball park today.

I think that the appeals court systems in Indian country suffer considerably from the funding dilemma, but the idea of regional appellate court systems is a good one. However, before we embark on funding regional appellate court systems around Indian country, we have to take a careful evaluation of how we're going to formulate those systems. You have to be very careful about membership and compliance within those systems. We can't have tribes dissatisfied with an appellate decision pulling out of an appellate court system and destroying the effectiveness of that system when incidents arise. There has to be much more of a commitment. And of course, that commitment has to come from the tribal organizations concerned. The Bureau cannot be responsible for that kind of activity. That commitment has to be a tribal commitment. Before we go further on the appellate project we might look carefully at how we're going to structure these systems and how we're going to inform tribal councils about the need to have these systems as healthy judicial appeals courts.

With regard to training and technical assistance in the future, in our hearing on January 22 before the committee, there was discussion about a judicial center in Albuquerque. The idea of a judicial center, in the Bureau is something that is difficult to sell to people who work in tribal court systems because of the failure of the Federal system to provide resources over the years. Judicial Services is only 10 years old in the Bureau. Before Judicial Services, tribal courts were add-ons to the Division of Law Enforcements budget. I think that when we talk about plans for future training and technical assistance we have to look to independence. I think that independence of tribal courts in the future, the environment of independent judicial decision making, is in line with the independence of training and technical assistance from the federal umbrella. I think that the Bureau and the Congress should be obliged to provide the resources, however, it should be up to the tribes and to Indian organizations to deliver those resources and make effective use of them.

The National Indian Justice Center was a concept that was put together and established as a result of discussing these issues for the past 10 years. I think that it would be productive and healthy to build upon this concept in the future. It's problematic to take judicial training, or any training program, in-house and look for exceptional results. It doesn't really happen that way, unfortunately.

That pretty much concludes my remarks. I have in my written statement a breakdown of some of the statistics that were gathered by the two studies back 10 years ago. I think those statistics were directed toward tribal courts that had judges who were non-lawyer judges. I think that pattern is changing, and those particular statistics should be upgraded. And perhaps a new evaluation of those studies should be made in the very near future.

Thank you, Mr. Chairman, that's all I have to say.

[Prepared statement of Mr. Myers appears in appendix.]

The CHAIRMAN. Thank you very much, Mr. Myers.

Mr. Miller.

STATEMENT OF ROBERT L. MILLER, PRESIDENT, INTERTRIBAL AGRICULTURE COUNCIL, BEGGS, OK

Mr. MILLER. Mr. Chairman and members of the Senate, thank you for the opportunity to speak to you this afternoon on behalf of the Intertribal Agriculture Council. I'm Robert Miller, President of the Council. My background is I'm an Oklahoma Indian, one-quarter Creek, and I'm a rancher by trade.

The Intertribal Agriculture Council is a brand new organization and was formed at our charter convention in Las Vegas, NV in November 1987. The IAC came about because of the appointment by the Assistant Secretary of Indian Affairs of a national Indian agricultural working group that came together in July 1987 to study the problems of agriculture in Indian country. The working group consisted of 12 tribal leaders from the 12 BIA areas and 6 BIA employees who helped us with our technical and other problems. We met five times during the following months of 1987 and it culminated in the organization of the IAC in November 1987.

At our charter convention there were 84 tribes represented, 350 delegates total, which represented about 45 million acres of agricultural land out of the 54 million acres that the Bureau has in trust. We looked over the recommendations of the working group, and you have, I think, in your possession the green book that the working group presented to the Secretary with recommendations or solutions to the problems that we saw in agriculture.

Because this organization is so new, we do not have major testimony on all of the issues that we wish to address at this time. But we certainly hope to be able to work with Congress and with the BIA, and with the Department of Agriculture in the coming months to try to help improve a lot of the agriculture in Indian country.

At present Indian tribes are faced with some insurmountable challenges, it seems like; critical water shortages has created problems, Bureau red tape and so forth, to name a few are some of the problems that they face. We have made recommendations to the Bureau to update some of their leasing and permitting rules and regulations that will help solve a few of these problems.

Only two percent of the BIA's budget over the past decade has been alloted to agriculture programs, despite the fact that 87 percent of the trust land is agricultural land. We hope to see an improvement in that. The BIA agriculture program is outdated and cannot adequately meet the needs of the Indians.

Less than 40 percent of Indian farmlands and 80 percent of grazing land is operated by individual Indians and tribes. Lack of Indian participation on local boards and committees has resulted in a loss of on-reservation assistance from other Federal agencies. Idle acreage on trust lands total 1,661,000 acres in 1985 and in 1 year increased by 41 percent to 2,350,000 acres.

In 1987 the GAO report estimated 145,450 acres on 14 reservations have been lost to foreclosure actions on lands owned by individual Indian farmers and ranchers.

The above findings represent an enormous under-utilization of one of the most important Indian economic resources. These problems are a serious threat to reservation economics and the trust land base and can lead to increased dependence on the already overloaded public assistance programs.

The obvious conclusion reached by the IAC in regard to these trends in Indian agriculture is that immediate remedial and mitigative action to these problems must begin. Foremost of these problems is that of the tedious process of changing public policy on Indian agriculture. In an effort to assist in this process and present tribal viewpoints to important officials, the IAC has already established good working relationships with key BIA and USDA officials. We expect also to work closely with the Congress.

As a first step in our efforts, the IAC is most pleased to report that we have reviewed the findings and recommendations of the National Working Group and are in general agreement with the recommended actions. We have selected a few of these to start work on.

The first recommendation of the NIAWG was to standardize the Bureau's missions and goals for its agriculture program by defining and implementing a uniform policy throughout Indian country. We have asked the Assistant Secretary of Indian Affairs to do this.

The second area involves the improvement of the Leasing, Agricultural Credit and Irrigation program. At our last board meeting we established three committees; one to look into the leasing and permitting, and one to look into the agriculture credit, and another to look into the irrigation program.

We have helped the Bureau officials in rewriting some of the rules and regulations in the leasing field. We have had conversation with the Farm Credit Systems in trying to get them back and active on Indian lands. And we have a committee working on the irrigation program at this time.

The third important issue, in our view, is the re-establishment of agriculture extension agents to serve Indian communities. We commend the Assistant Secretary for recognizing the importance of this issue and his efforts to complete a memorandum of agreement between the BIA and the USDA in this regard.

We support the Bureau's request for $700,000, $450,000 of which is to go into the Extension Service, and $250,000 which is to go into the operation of the IAC.

The IAC is also concerned about the lack of Indian employees in agriculture programs. This personnel lack encompasses professional as well as non-professional positions, although the greatest need lies with the former. Very few Indians hold these responsible positions because of the lack of education. We propose that funds initially be provided to our Indian schools at Haskell, in Lawrence, KS and Albuquerque, NM to develop an implement curriculum for training of technicians and to provide a means of matriculation to the 4 year agriculture colleges. Although we have not had time to develop the costs associated with these programs, we believe we can provide them to you within the next few weeks. Education has always provided a means to the solving of problems and needs. We are convinced that it will be equally beneficial in agriculture.

Another recommendation is the revision of certain labeling requirements of USDA to improve marketing the various native American or Alaskan Native products. Examples are wild rice in the Great Lakes Region, and the Reindeer meat in Alaska. The IAC has started negotiations with the USDA on these issues of special concern to our members.

In addition to the foregoing relatively simple tasks, the IAC is beginning a longer-term project to assess current agriculture programs in the Bureau and elsewhere, with the goal of proposing changes to improve opportunities for self-determination and tribal co-management of their natural resources. We have no specific testimony on this issue yet, but are looking forward to working with you in the future.

In conclusion we wish to thank you again for the opportunity to meet with the committee and for listening to the Intertribal Agriculture Council as we work to improve the life for Indian farmers and ranchers nationwide. The Board of Directors of IAC feel that additional appropriations through the BIA for Indian agriculture are needed if any meaningful changes are to be accomplished within Indian country.

IAC supports the request for additional funds for agriculture extension as a first step.

Thank you very much.

[Prepared statement of Mr. Miller appears in appendix.]

The CHAIRMAN. Thank you very much.

Mr. Secretary, would you wish to comment on the concerns and objections that have been voiced by the other panel members?

Mr. SWIMMER. Generally, I think I would say that there's some misunderstanding about the intent of some of the things that we have, in the budget, and some of the programs that we have proposed. I could go over a couple of items, but if the committee wants to ask a question about any of the issues that were raised, I'd be happy to answer those.

On our proposed trust fund management initiative, we have a letter to the Hill, to Congress, asking that the appropriate language be developed permitting us to go forth with that. This particular initiative is not mine. It was started by the General Accounting Office, by the Inspector General's Office and by numerous tribal groups as far back as the early 1980's, and probably before that. It is an essential element of the Bureau of Indian Affairs management of 400 million or more trust dollars. If we are not able to bring that under some form of good management and provide the return to the tribes that the Chairman mentioned earlier, then I think we're remiss and my only disappointment is that it wasn't done 4 years ago, 5 years ago, and that I find myself in the position of devoting a great deal of time to doing it. But it is an essential thing that must be done and I believe that as we go down this path in doing the comparison between the Federal operation versus an outside contractor, we'll find that the technology available to us is such that we definitely should go with a contract.

As far as the issue over the Institute for Tribal Government, I don't know what was alluded to there. I certainly have no personal interest in it. The Tribal Operations Deputy Assistant Secretary developed this initiative. It was done in an attempt to address some of the more serious problems that we have in tribal government and tribal management systems, and in response to the tribes that have come to the Bureau of Indian Affairs who said they need help. And if you read the responses of the Inspector General's report, if you read the press that we're getting, it isn't all Bureau of Indian Affairs failures. In fact as we contract under 638 to Indian tribes one of the reasons, as Dr. Rhoades testified before, that the cost is more when we contract, is that we are still held responsible for the failures that happen under a 638 contractor. So it requires additional monitoring, additional personnel, to assist in a 638 contract. We don't lose anything, we don't give up anything. In fact, it is an increased burden for us to do it properly. But in order to reduce that burden we must have competent tribal accounting systems, tribal management systems, tribal budgeting, tribal personnel. They must be able to work and meet all of the requirements that we have under 638 and all of the other procurement laws. And again, an initiative that we have joined in to simplify the 638 process, I think would even aid us there.

But we believe, as we develop the concept for an Institute for tribal government that it would be beneficial to both sides. I have no idea who's going to staff it. As it appears from one of the panel that I might be looking for a job, I will assure that person right now that it's not me. So I don't know——

Ms. HARJO. We didn't think it was.

Mr. SWIMMER. OK.

Maybe there's somebody else that has been preselected. I have no idea. We do have, I think, an adequate amount of money—it's a no-frills budget, but I think it's adequate and some of the issues that I've heard raised cause me concern because it gives me the feeling that everything on the reservation is the responsibility of the Federal Government. And that that leaves very little to the responsibility of tribal government. Yet we are dealing with entities that control 20 percent of the energy resources in this country, 5 million acres of prime timber, 10 million acres of prime agricultural land and another 40 million acres of grazing land, all of which are income producing, enormous assets on the reservations. I'm not suggesting that incomes or revenues should be used in lieu of or to supplement what we're doing, I'm suggesting that if we don't work together there would never be enough money for the Federal Government to do all that has to be done to continue the growth and development of tribal government, that it is in fact a partnership.

We are bound, as trustees, over certain items on the reservation and we're bound by Federal law with a Federal responsibility over certain items; providing of education, providing of the trusteeship.

I believe that the funds that we have are adequate to do that, not saying that the job is necessarily getting done the way I would like to see it done. The funding isn't the issue, but it is a matter of us working with tribal governments, many of whom would be considered quite wealthy, and saying to them that it's important how you use that wealth to improve and create the quality of life on this reservation, as well as how you interact with the Federal dollars that are available to meet the specific responsibilities that we have.

So, I think it is a two-way street. The priority setting that we permit Indian tribes has a great deal to do with whether there is enough money in a tribal court system. Presently it is on what we call the Band. And it is subject to tribal priority-setting. We could double the money that's going to tribal courts according to our budget, and next year have it right back at the same level it is today. Now some would say that argues in favor of taking it off the Band and securing it. That was the argument that we proposed in the road maintenance program, because we said we can't afford to jeopardize $75 million because tribes may choose to take all that money and use it over here for something else. Well, if you go down the IPS, the priority system, the argument can be made for each one of those. The point I'm making is that it does become a very important tribal decision as to whether they're going to fund their courts adequately at the expense of something else because there won't be enough money to do everything that must be done for everybody on the reservation, even to begin to address the kinds of problems that we have out there.

It does just barely meet what I consider to be the responsibility of the Bureau of Indian Affairs. But within that there is room to adjust the dollars. I think that there needs to be adjustment. We need to have justice, tribal courts are an essential. The concept of a judicial training center is to help that need, and I'm more than happy to try to have that develop in line with the association of our tribal judges or courts. I think that's fully intended. But that maybe will bring more awareness of the need for that.

So those are general comments, but if you have specific questions on issues that were raised, I'd be happy to try to answer them.

The CHAIRMAN. This discussion is very important to the committee, this dialog between the Bureau and representatives of the Indian country. Would you favor us by looking over the prepared text of the panel members and commenting on their concerns?

Mr. SWIMMER. Yes.

The CHAIRMAN. It would be most helpful.

In our system of government we have three separate but co-equal branches; the Executive, Legislative, and Judicial. As Assistant Secretary of the Interior Department, do you consider the judicial system in Indian country as being one of these separate but co-equal bodies in their system of government, or as an extension of the law and order function of the tribal governments, or just one of the programs of tribal governments?

Mr. SWIMMER. You really have all three systems on the reservation. There are some that are simple, what one might call program activities. There are some that are tied directly to the tribal council and the administrative branch, where there is no separation, and there are some that have separation of powers.

I would say within at least the last two, where you have courts but they're part of the council, and you have courts that are separate, you have successes in both. By in large the justice that is most effective is going to be that that is meted out through a separation of power concept, or where there is some provision for the complainant to receive justice at a level, appellate or otherwise, that is free of the administrative side that has created the alleged problem.

The CHAIRMAN. It would be extremely helpful to the work of our committee, if you could provide us with information on the following: We have been advised that 200 years ago by treaty and other laws of this country, we recognized the sovereignty of Indian people over approximately 550 million acres of land. We said that these Indian tribes and people have title, fee simple title, over these lands. We now gather that there must be about 54 million acres of land presently held in trust by the Bureau for these Indians. In the interim of 200 years something must have happened to the 500 million acres. Could you tell us what happened to the 500 million acres of land?

Mr. SWIMMER. Yes.

The CHAIRMAN. I think it would be very helpful in our study.

Second, we have been advised and we have no way of knowing whether the sources are good or bad, that about 200 years ago there were more than 14 million Indians residing in the initial 48 States, not including Alaska, not including Hawaii. Today we have approximately 1.3 million Indians residing in the United States of which you have jurisdiction over as you have indicated about 900,000. Could you give us the demographics of the past 30 years, which would give us an indication as to the rate of growth? I am not asking you to tell us what happened in the last 200 years, but if you could give us some numbers of what it was 30 years ago, 20 years ago, and 10 years ago, it would show the rate of increase if any, or the rate of decrease if any. Could you provide that?

Mr. SWIMMER. Certainly.

The CHAIRMAN. We have also heard on the matter of demographics that 100 years ago there were approximately 250,000 Indians. Is that a correct number? From 14 million down to 250,000?

Mr. SWIMMER. As of about 30 years ago?

The CHAIRMAN. About 100 years ago.

Mr. SWIMMER. About 100 years ago that it reduced to 250,000? I can review it. I would find that hard to believe, but——

The CHAIRMAN. Well, some of the accounts that I have read suggest that as a result of epidemics, other illnesses, our National policy in moving tribes west of the Mississippi, the Indian wars, all combined, reduced the population of 14 million to 250,000. It is mind boggling, but can you check that out for us also? It is also mind boggling, that if we did have 14 million and we just have 1.3 now, something must have happened in between, because that is not the national trend. Our national trend is to have population increases, not decreases.

I have many questions that I have been requested by members of this committee, and they will be submitted to panel members and to you, Mr. Secretary. I hope that you will provide us with your responses.

Mr. SWIMMER. I certainly will.

The CHAIRMAN. The staff would request that these responses be in our hands within 10 days after receipt. The record will be kept open for 2 weeks beginning this date.

I would like to thank all of you for participating this morning. We will resume our hearings at 2:30 p.m.

[Whereupon, at 1:30 p.m., the committee recessed for lunch, to reconvene at 2:30 p.m. this same day.]

AFTERNOON SESSION

The CHAIRMAN. We will resume our hearings on the fiscal year 1989 budget, and our next panel consists of the Director of the Office of Indian Programs, Department of Education, Mr. John Sam, and Mr. Sam will be accompanied by Mr. Thomas M. Corwin, Director of the Division of Elementary, Secondary and Vocational Analysis, Office of Planning, Budget and Evaluation, Department of Education; and we will once again have the Assistant Secretary for Indian Affairs, Secretary Swimmer; Executive Director of the National Indian School Board Association, of Texas, Ms. Carmen Taylor; the President of National Indian Education Association of Montana, Mr. Edward Parisian; and the Executive Director of the American Indian Higher Education Consortium of Washington, Mr. John Forkenbrock.

Mr. Sam.

STATEMENT OF JOHN SAM, DIRECTOR, OFFICE OF INDIAN EDUCATION, DEPARTMENT OF EDUCATION, WASHINGTON, DC, ACCOMPANIED BY THOMAS M. CORWIN, DIRECTOR, DIVISION OF ELEMENTARY, SECONDARY, AND VOCATIONAL ANALYSIS, OFFICE OF PLANNING, BUDGET, AND EVALUATION, DEPARTMENT OF EDUCATION, WASHINGTON, DC

Mr. SAM. Thank you very much.

I would like to introduce Tom Corwin on my right. He is the Director of the Office of Elementary, Secondary, and Vocational Analysis in the Office of Planning, Budget and Evaluation in the department. I have a complete statement, Mr. Chairman, that I would like to be introduced for the record.

The CHAIRMAN. All of your statements, as with others, will be made a part of the record.

Mr. SAM. Thank you.

I will take a few moments, if I might, to summarize that statement. Mr. Chairman, and members of the committee, I appreciate this opportunity to appear before you today to discuss the 1989 budget request for major Department of Education programs that serve Indians.

INDIAN EDUCATION ACT

For the Indian Education Act, the only Department of Education statute devoted solely to programs for Indians, we are requesting $67.7 million. That's an increase of $1.3 million above the 1988 appropriation. This request includes $49.8 million, an increase of $678,000, for part A formula grants. Part A supports two programs for Indian students. Under one, formula grants are awarded to local educational agencies, or, as we refer to them, LEAs. Under the other, discretionary grants are awarded to Indian-controlled schools. Because BIA contract schools are treated as LEAs under the formula grant program, these schools are eligible for funding under both of those particular programs.

In fiscal year 1987, we awarded formula grants to 1,041 public and 57 BIA contract schools enrolling a total of 321,000 Indian students. The grants ranged from $1,100 to more than $1 million.

Discretionary awards went to 24 Indian-controlled schools serving almost 5,000 children, in amounts ranging from $30,000 to $387,000. Seventy-one percent of these schools also received part A formula grants.

Formula payments amounted to $136 for each Indian student counted, and the discretionary payments averaged about $700 per child.

For 1989, we are proposing that the entire $678,000 increase be applied to the formula program, in order to maintain current services and to continue our policy of gradually equalizing per-child payments under the two part A programs.

The budget request for part B of the Indian Education Act is $11.8 million, an increase of $100,000. Of the six discretionary programs that constitute part B, two are designed to improve educational quality for Indian children; three help Indian students train for professional careers; and the sixth supports regional resource and evaluation centers.

The $100,000 increase is earmarked for the resource and evaluation centers in order for them to expand their efforts in helping grantees achieve academic gains, strengthen program evaluations, and increase accountability.

For part C of the act, we are requesting $3.5 million. That's an increase of $500,000, to support educational programs for Indian adults. Part C, which is a competitive grant program for Indian tribes and organizations, emphasizes adult basic education, especially literacy, and preparation for the high school equivalency exam. With the requested increase, we estimate that new projects will be able to reach approximately 800 additional people.

Finally, the request for the Indian Education Act also includes $2.5 million, an increase of $49,000 for program administration. This increase is needed primarily to cover higher costs for salaries, benefits, travel, and other expenses for the office that I direct, as well as for the National Advisory Council on Indian Education.

I will turn now to brief summaries of the program budget requests for our other Department of Education programs.

IMPACT AID

First is Impact Aid. Under the 1989 budget request for section 3 of the Impact Aid program, 640 school districts are expected to receive funds for the education of approximately 100,000 children residing on Indian lands. For 1989, we estimate that these payments will exceed $200 million.

The 1989 budget includes a 2-percent increase for "a" children, but does not include payments for "b" children. However, school districts that include Indian lands would generally be unaffected by this change, since children who reside on Indian lands are counted as "a" children.

For Impact Aid construction, $25 million is requested for 1989, $12 million of which would be used for districts that serve large numbers of Indian children and contain large areas of Indian lands.

VOCATIONAL EDUCATION

Under the Carl D. Perkins Vocational Education Act, the 1989 request includes $11 million for Indian programs. This is an increase of $542,000 over the amount that was available in 1988. Grants are awarded on a competitive basis to Federally recognized Indian tribes and tribal organizations. During the current year, 46 tribal projects are training approximately 2,900 participants.

CHAPTER 1

For the chapter 1 program of compensatory education for disadvantaged children, 1 percent of the funds is allocated to the Outlying Areas and the Bureau of Indian Affairs. Under the 1989 request, the BIA will receive about $29 million, an increase of $2 million, to meet the special educational needs of educationally deprived children in its schools.

During the 1985–86 school year—the last year for which actual data are available—more than 15,000 students in BIA schools participated in chapter 1 programs. An additional 65,000 Indian students in public schools also participated. The number of Indian children receiving chapter 1 services is expected to increase through 1989, as the chapter 1 budget increases.

BILINGUAL EDUCATION

The Bilingual Education Act authorizes discretionary grants to LEAs and Indian tribes for programs for limited English proficient students. In 1987, 86 bilingual education projects were serving Indian students exclusively. These projects reach almost 14,000 Indian students at a cost of $9.5 million. In addition, 71 other projects are serving some Indian students as well as student from other groups.

The 1989 request for bilingual education is $156.6 million. That's an increase of $10 million, over the 1988 level.

DRUG-FREE SCHOOLS

Under the Drug-Free Schools and Communities Act, 1 percent of the funds is reserved for programs serving Indian children in BIA schools. The Department of Education has negotiated a memorandum of agreement to transfer these funds to the Bureau of Indian Affairs, which will allocate them to the schools on a formula basis.

The 1989 budget request includes $2.5 million for Indian drug education program, and that's an increase of $300,000 over the 1988 level.

VOCATIONAL REHABILITATION

Under the Vocational Rehabilitation program, at least one-quarter of one percent of the State program funds must be set aside for competitive grants to Indian tribes. The 1989 request for this particular program includes $3.5 million for the Indian set-aside. That's an increase of 2 percent over the 1988 level. We estimate that these funds will support 14 projects serving more than 2,700 disabled people.

LIBRARIES

The Library Services and Construction Act authorizes a set-aside of 1.5 percent for federally recognized Indian tribes and Alaska Native villages for a variety of purposes including purchase of materials, library construction, personnel costs, and training. In 1988, the total amount available for Indian library programs is $1.8 million.

The 1989 budget request for libraries is based on legislation that the administration will propose and includes funds to improve and expand library services to disadvantaged and handicapped individuals, including Indians.

EDUCATION FOR THE HANDICAPPED

Finally, two programs for the education of handicapped children provide set-asides of 1.25 percent each for services to Indian children on Federal reservations.

Funds from the grants to States program are used for the education of handicapped children, ages 3 through 21, while the Infants and Families program supports the coordination of early intervention services from various agencies for handicapped infants and toddlers and their families.

The 1989 budget request includes a total of $19 million for these two programs set-asides, an increase of $500,000 over the 1988 level.

Mr. Chairman, my colleague, Mr. Corwin, and I will now be happy to answer any questions that you might have.

[Prepared statement of Mr. Sam appears in appendix.]

The Chairman. We will have questions after the panel is completed.

Secretary Swimmer.

STATEMENT OF HON. ROSS SWIMMER, ASSISTANT SECRETARY FOR INDIAN AFFAIRS, DEPARTMENT OF INTERIOR, WASHINGTON, DC, ACCOMPANIED BY LINDA RICHARDSON, ACTING CHIEF, DIRECTOR OF PROGRAM DEVELOPMENT AND IMPLEMENTATION

Mr. Swimmer. Mr. Chairman, as I mentioned earlier, we have some specific requests in the area of Indian Education in our budget and in addition to the moneys that we have asked for before, which are generally distributed on a formula basis. We are expecting to spend up to $300,000 this year in the area of textbook improvement, and $500,000 for additional staff training. Most of this money would be going into dormitory staff work. $450,000 is requested for a new program we call the Exemplary Schools program which would help reward not only schools that are doing exemplary work, but match some of the schools that are not with some of the exemplary identified schools.

Beyond that there are some specific issues that the committee may want to ask about, and I'd rather leave the time for questions and proceed with that.

The CHAIRMAN. Thank you.

Ms. Taylor.

STATEMENT OF CARMEN TAYLOR, EXECUTIVE DIRECTOR, NATIONAL INDIAN SCHOOL BOARD ASSOCIATION, FORT WORTH, TX. ACCOMPANIED BY DON WIESEN, EDUCATION DIRECTOR, FOND DU LAC OJIBWA TRIBE, MINNESOTA

Ms. TAYLOR. Good afternoon. I'm very pleased to have the opportunity to testify this afternoon. I represent the National Indian School Board Association, and I recently met with some of my Boards and we discussed, not the fiscal year 1989 budget specifically, because we didn't have it to look at specifically, but we still have some general concerns that I would like to just briefly touch on that carry over from past years.

Probably the number one concern that we continue to have is the timeliness of allocations. Even though the student count is done earlier, it seems that every year there is still a problem; it's the fifth and sixth month of the school year before schools get their final fund distribution documents. And at a time when accountability and planning seems to be particularly emphasized, that still is a concern to schools. Although there has been authorization for forward funding for Bureau Education for approximately three years, it still hasn't happened, although forward funding and advance appropriation seems to be more the mode within many of the Department of Education programs. So that continues to be a concern, why we can't have forward funding for BIA education.

The other concern that we have is the distribution of the entire amount of ISEP dollars appropriated by Congress. In looking at some of the fund distribution documents last year and comparing them with the actual appropriations, we are concerned about possibly somewhere around $2 million that maybe was not distributed to the schools.

The fourth general area of concern that we have has to do with standards compliance. It was our understanding that in the statute after 561 was passed, that once the BIA standards were in final form that there would be a review done to see if the Indian School Equalization Program was still appropriate for distributing dollars in the form that it is. There has not been a review. It was also our impression that there was a required report that would discuss the total amount of dollars that it would take to bring all schools and dormitories into compliance. And to my knowledge that report also has not occurred.

And a third concern that's related to that issue is that there are a number of schools who are expressing concern that if they are to meet some of the State reforms and the higher State standards that they're attempting to meet, how does the Bureau plan to address that situation for those schools who want to meet higher State reform standards that are more costly.

The fifth area of sort of broad, general concern with budget has to do with personnel. I think that personnel costs have not kept abreast with most of the neighboring public schools, and then we find out that just recently teachers living in government quarters are being asked to comply with somewhere around a 17.8 percent quarter rental increases with no adjustments in their salaries to acommodate the rental increases.

Those are just some of the five broad areas. We are concerned about the proposed decrease in the Indian School Equalization Formula in the budget. They're showing that there's no proposed school closures. They are showing a decrease in ADM and weighted student units, and I'm not really sure why. So we're just uncertain about why there's a proposed decrease in transportation and ISEF.

I would like to, at this time, introduce my colleague to my left, Don Wiesen. And I'd like to ask him if he would just take a few minutes to talk about a couple of very specific things.

Thank you.

STATEMENT OF DON WIESEN, TRIBAL EDUCATION DIRECTOR, FOND DU LAC OJIBWA TRIBE, MINNESOTA

Mr. WIESEN. Thank you, Mr. Chairman, for the opportunity to be here today to testify before your committee. I also would like to thank you, and your staff, for the support that you have given Indian programs over the past years. It's very enlightening to know that there are people up here that really do listen, and really do care.

In some of the remarks that Carmen has made, and also that I have heard today, there are some concerns, I guess, that we have in the contract tribal schools that are I guess a little bit disturbing. One is, of course as Carmen has mentioned, the decrease in ISEP money for Indian school programs. And also that there doesn't seem to be any provisions made in the 1989 budget for any expansion of school programs within reservations.

It was interesting earlier today when I heard Mr. Swimmer talk about partnerships. And it's very interesting to the Fond du Lac Indian Reservation in that we have, along with several other tribal contract schools within the association, made an attempt to enter into partnerships with the Bureau of Indian Affairs and basically have not received any real cooperation from them. And I'd like just to cite two examples. One is that the Fond du Lac in response to a community need of expanding their educational program wished to expand their high school, which is a 7 through 12 school, to include kindergarten through sixth grade. In our request to the Bureau of Indian Affairs it was mentioned to us that we had to have facilities to do that. The Fond du Lac Reservation raised $5 million to construct a new facility with the idea that if we were able to construct the facility that we would have the facility necessary to open the program. In our attempts to enter into the partnership with the Bureau of Indian Affairs, it has basically fell upon deaf ears. They apparently do not want to enter into that partnership and allow us to construct the school and open our program.

The second one is that the Fond du Lac Indian Reservation, also in response to the Indian community within that area, has established a tribal contract school, a tribally controlled community college. And in an attempt to do this we went to our State legislature

3 years ago. They appropriated $50,000 to do a feasibility study. The feasibility study was completed and proved favorable in an attempt that a community college should be located in that area. We went last year to our State legislature and they appropriated $400,000 to get us started, and we have submitted our application to the Bureau for again, a partnership between the State of Minnesota, the Fond du Lac Reservation, and the Bureau of Indian Affairs to provide a tribally controlled community college on the reservation. However, as I have noticed in the budget we are not apart of the 1989 budget. And I guess this is some of the concerns, not only we on the Fond du Lac Reservation, but members of the Association of Community Tribal Schools are I guess very concerned about in that if in fact they want to have partnerships then possibly they should continue and move forward to developing those partnerships.

Thank you.

The CHAIRMAN. Thank you very much.

Mr. Edward Parisian.

STATEMENT OF EDWARD PARISIAN, PRESIDENT, NATIONAL INDIAN EDUCATION ASSOCIATION, BOX ELDER, MT

Mr. PARISIAN. Thank you, Mr. Chairman.

I'm here today on behalf of the National Indian Education Association, as the President. The NIEA is an umbrella like organization and our membership consists of all facets of Indian education.

My purpose here today is to voice the views of our constituencies and our membership on the proposed fiscal year 1989 budget as it effects Indian education.

Basically, Mr. Chairman, in all fairness I'd have to say that the budget as proposed is a mixed bag. The Department of Education budget, which not only provides Indian students and institutions at all levels with program services through the Indian Education Act, but also through the various other department programs, such as chapter 1, handicapped, bilingual, vocational education, Impact Aid and others is by and large a sound budget. After all the total Department of Education budget reflects an 8-percent increase over fiscal year 1988. That in itself is good, and we support those increases.

It should be made clear, however, that in the title IV, for example, although the budget does represent an increase, it is still well below the need. As an example, funding for title IV in fiscal year 1981 exceeded $80 million. I believe the budget request this year is $67.6 million. Another example of where the Department of Education's budget falls short is within their proposed funding for library services and construction. The proposed budget reflects zeroing out this activity. The effect of this would be to eliminate those library services and construction dollars going to tribes under the tribal set-aside. Much has been done in the past few years with these dollars, and many tribal plans will be eliminated under this budget request. NIEA supports at a minimum an 8-percent increase above the fiscal year 1988 level which would conform to the average percentage increase to all other programs funded by the Department of Education for fiscal year 1988.

Moving from the Department of Education to the Bureau of Indian Affairs, it is here where we have a very real concern as the Bureau's education budget goes in the opposite direction from the Department of Education's budget. It does in fact show reduction. The Indian Student Equalization program formula is reduced over $2 million, which according to the Bureau reflects a decrease in the total amount of weighted student units in fiscal year 1989. In fact, the actual dollar amount for WSU increased slightly to $2,400 per WSU. That of course, is a positive gain. However, I would like to see this committee request of the Bureau a little more visible evidence that the weighted student unit count for fiscal year 1989 will in fact be reduced.

NIEA does support the efforts being put forth by the new Director of Indian Education programs for the Bureau, which are aimed at incorporating the effective schools concept into the Bureau program. We are happy to see that there's a commitment of dollars included in the Indian school program adjustment line item addressing this program.

NIEA is deeply concerned about the proposed reduction in Tribally Controlled Community College operation grant. The Bureau's budget negates the gains which were reflected in the fiscal year 1988 budget with no apparent reason, other than to say that the program is not intended to meet total cost of tribal college operation. NIEA supports the position of the American Indian Higher Education Consortium on this point, but would like to emphasize to the committee that the reductions particularly make no sense when you consider the fact that potentially two new tribal colleges could be eligible for funding in fiscal year 1989. I believe you just heard the testimony from the gentleman from the Act, that there is a tribal community college ready to come into existence this year.

NIEA would like again to request of this committee their support for BIA education forward funding. The majority of the education programs administered by the Department of Education are forward funded making it easier for the recipients of program dollars to budget and plan for the expenditure of those dollars. Forward funding of ISEP and tribally controlled college dollars, for example, would allow Bureau funded schools to actually plan a budget including completing contract negotiations with staff before the beginning of the school year. Under the current funding system, not only can we not plan but we sometimes cannot even spend dollars appropriated for a fiscal year until well into the second or third quarter of the fiscal year.

I am a superintendent of a contract school. We still have not received final modifications for this year's budget. There's only 3 months left in the school year. Mr. Chairman, that is no way to operate a school. Forward funding would address this problem.

We would also request that the waiver requested by the Bureau to not comply with the 1.25 percent set-aside match for vocational education funding not be granted. For the past 10 years this waiver has been requested by the Bureau, and subsequently granted. It would be nice to change that tradition.

NIEA also supports funding for its Special Graduate Scholarship Program which is administered through a contract with American

Indian Scholarship Development in New Mexico. In fiscal year 1989 the administration is only requesting $1.5 million. The real program needs is $2.5 million.

Finally, Mr. Chairman, we would ask that the committee request in its budget report to the Senate Budget Committee, that the BIA and the Department of Education include in the fiscal year 1990 budget request, funds for the White House Conference on Indian Education, which under S. 373 will convene between October 1, 1989 and September 30, 1991. This is an extremely important event which will set the agenda for Indian Education for the next century. NIEA feels the time for its planning is now.

We thank you, Mr. Chairman, for allowing us this time to present our views before the committee today, and NIEA stands ready to provide the committee with any assistance that they may need.

The CHAIRMAN. I thank you very much, Mr. Parisian.

Representing the American Indian Higher Education Consortium is Ms. Windy Boy, Janine Pease-Windy Boy.

STATEMENT OF JANINE PEASE-WINDY BOY, TREASURER, AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

Ms. PEASE-WINDY BOY. Thank you, Mr. Chairman.

The American Indian Higher Education Consortium sends greetings to the Senate Select Committee. And certainly in recognition of the partnership we've enjoyed in developing talent throughout Indian country.

We now have 20 colleges under Title I of the Tribally Controlled Community Colleges Act, and Navajo Community College under title II. And there are a number of serious issues that we'd like to bring to your attention today.

First of all, we see in the budget justifications that the Bureau has presented for fiscal year 1989 a serious lack of understanding of some important issues. We feel that we have made tremendous strides in showing successes and graduating in excess of 3,500 American Indians with Associate of Arts, and Associate of Science degrees, as well as certifications that are very valuable in attaining jobs. And of course, as you know, we work in an environment, our students are in an environment, where unemployment rates are astronomically high. Where we can find placements in proportions to 85 percent for our graduates. These are things that we feel that are successes that should surely catch the attention of the Bureau of Indian Affairs. But in their justification the numbers they presented, it simply isn't reflected. We hope that somehow questions can be asked, as we also hope that those kinds of challenges are put to the Bureau to explain some of the things that appear in the Budget.

We would very much like to know why the Bureau of Indian Affairs is overlooking the progress that the colleges have made. Right now we're very happy to say that eight of our colleges are fully accredited, and five are candidates for accreditation, while several others are still striving for the first rung in accreditation. Once again, success beyond the graduation, but the professional recognition in higher education.

We're not asking for the sky, Senator, what we're asking for is something that is an average kind of support for community college education in the United States. That average dollar right now is right around $4,000 per student. That's not a greedy request. That's simply an average kind of contribution to the serious development of our human resources. What we're experiencing in this request is a reduction, and it's an unjustified one. We really need to meet that average dollar amount per student. We spend a great deal of money developing scads of resources on our reservation, but the human resources need attention.

There's a philosophy there also. In the language accompanying the budget, you'll find that there is reference to the idea of seed money, the idea that somehow tribally controlled college education is something that is a temporary kind of need, that somehow it will just go away after we throw money at it. The colleges contend with the Bureau that it is a commitment to the development of human resources that needs consistent attention, and certainly not something that's likely to go away in the near future. But by the same token we're not asking for the total dollar amount that it takes to support a Tribal college. Our colleges have taken the initiative to build endowment funds and have recently joined together in what's called the American Indian College Fund, and really seriously intend to supplement our colleges' support through the private sector fund raising kind of effort. And we certainly recognize that this is a needed area.

Stabilized funding is something that we recognize, and in the higher ed community the building of endowments is something that's so critical. And you will notice, Mr. Senator, that the Bureau of Indian Affairs has chosen to simply zero the endowment portion of the budget out. It's interesting to note that last year there was a vote of confidence in the budget placing $500,000 in the budget. And certainly we appreciate that effort. But in the language in the budget they're saying that they're going to evaluate. Mr. Senator, we haven't seen dollar one of that endowment fund yet. How can we possibly evaluate something that has not yet occurred? And based on that justification, that amount is zeroed out. What possible reasoning can there be for this?

We also are working in a number of colleges in decrepid and abandoned buildings. The college that I administer was abandoned by six organizations previous to our taking it over. We had miserable ceilings, and roofs. We have old heating systems, and we're constantly in repair and maintenance of decrepid buildings. The facility I manage as President of Little Big Horn College is not unlike several others among the system. We're badly in need of construction, and that is an area we also differ with the Bureau. They have neglected to list dollar one for construction. And the accredited colleges that are qualified eligible for construction, are badly in need. We support the request of Oglala Lakota College for construction, as well as the other accredited colleges. And in the testimony it details the kind of construction needs that each of those colleges have.

There are two institutions that we anticipate entering the system this year. And their count amounts to 200 students. Those are overlooked in the Bureau budget. It's a miserable oversight, Mr. Senator. These are two areas that have made great strides and there is no advocacy that we can see. In other words, somehow the door has slammed on those other tribes who are striving to provide for the post secondary needs of our tribal members.

The colleges really play a vital role in community development out there in Indian country. And while there are only 22, we really hope that the same amount of human resource development can flourish in Indian country.

We'd like also to request that special consideration be given to the Special Graduate Scholarship Program, because in the tribal colleges we need to have the talent for faculty and administrators. The budget lists $1.5 million as requested from the President, but the real program needs are $2.5 million. In addition, the advocacy for the 1 percent set-aside match from the Bureau is lacking. In Indian country we really need the resources to provide the kind of advanced technical and scientific training that only vocational kinds of funds can provide.

And we request that that waiver that has been requested from the Bureau be denied.

In summary, Mr. Senator, our request is $14.6 million. That would simply bring us to parity with the average community college kinds of support in the United States. The Bureau, by comparison, requests $7.7 million. In title II we request $4.5 million. The Bureau is requesting $3.8 million. And that request reflects an 8-percent request increase over fiscal year 1988. We request endowment funding of $5 million. The Bureau has requested nothing. And finally in construction, we are requesting $10.3 million. No dollars have been requested there.

Thank you very much for your consideration of these serious issues, and we would hope that we can continue the partnership, the advocacy we have found in the Congress, and certainly from the Senate Select Committee on Indian Affairs.

Thank you, Senator.

The CHAIRMAN. Thank you very much, Ms. Windy Boy.

My first question is not related to any statement made by the panel. About 4 years ago, as a result of suggestions made by school teachers in Hawaii, we initiated the funding of hearing tests for school children. Because of the limited amount available, we limited the hearing tests to 4 year old native Hawaiian children, just 4-year-olds. The study was completed about 1 year ago, and we found that of the 4-year-old native Hawaiian children in the State of Hawaii, 60 percent have measurable hearing losses ranging from hard of hearing to outright deafness. There is also a correlation with the 60 percent with the poorest segment of the native Hawaiian community.

My question is, do we have any regular physical examinations of our Indian children?

Mr. SWIMMER. I can't speak to the degree of it, Mr. Chairman, the Indian Health Service does have a special initiative dealing with otitis media, which are problems of the inner ear that have been found common to Indian native peoples. As I say, I'm familiar with it, our Tribe contracted a program at one time, and I just don't know though at what age it begins or how people access it.

But it is a part of the Indian Health Service program. But beyond that I couldn't comment.

The CHAIRMAN. It was such a stunning result that Gallaudet University has established a special branch on the campus of the University of Hawaii to provide special teaching skills to our public school teachers, so they can recognize the deaf and do something about it.

I would like to have your Bureau provide me with information on the income levels of Indians, poverty levels, per capita income. I have been told that the average cost per student in the Indian Community Colleges, $2,100?

Ms. PEASE-WINDY BOY. Yes.

The CHAIRMAN. Is it also true that in the Nation the average is $4,000?

Ms. PEASE-WINDY BOY. The average is $4,000. That is correct, per student.

The CHAIRMAN. And I think the lowest among any of the States would be above $3,000 per student.

Ms. PEASE-WINDY BOY. If we were a State, Mr. Senator, we'd be 51st.

The CHAIRMAN. I think it would be below that. [Laughter.]

How do we justify this, Mr. Secretary?

Mr. SWIMMER. The funding provided by the Bureau of Indian Affairs has been considered a base funding. In this year's budget it's estimated to be around $2,100 per student in the TCCCs. In an analysis which I would furnish to the committee, that we did, I believe, last year there is an indication that that is about half of the amount of money that goes to the community colleges. The rest of the money comes from the scholarship funds and other moneys that are available from other institutions both Government and private sector. And I'm sure that is not across-the-board to all of them, and so I'd like to be able to provide a table that we have done on that to show what funding is going there.

But ours is only now at about 50 percent, I understand, of what is going into the community colleges funding.

The CHAIRMAN. According to the table made available to the committee, in 1980, we provided for your Bureau, $75 million, $900,000 for Indian education. In 1981 it was $81 million, $680,000; in 1982 $77 million, $852,000; in 1983 $69 million, $185,000; 1984 $68 million, $780,000; in 1985 $67 million, $404,000; in 1986 $67 million, $71,000; in 1987, $64 million, $36,000; and in 1988 $66 million, $326,000. I would assume that in 8 years the school population has increased, and yet the funding has decreased. Can you explain that?

Mr. CORWIN. We'll be happy to provide enrollment figures for the record. Generally over the decade of the 1980's school populations have been fairly stable. For elementary schools, there's been an increase in recent years because of what they call the Echo Baby Boom, particularly in the early elementary grades. The secondary school population has continued to decline.

As far as our budget goes, we did have decreases early in the decade. We've been fairly stable recently. This is the first increase we've been able to come up before the committee and recommend, during this decade. We're very happy to be able to do that. Secretary Bennett believes in these programs and pressed very hard to get at least a small increase for Indian education in 1989, and I'm very happy to be able to be here today and commend that to you.

The CHAIRMAN. What is the school population?

Mr. CORWIN. The number of Indian children in public schools?

The CHAIRMAN. Schools over which you have jurisdiction.

Mr. CORWIN. Our programs are to provide assistance to support the education of Indian children in the public schools. Mr. Swimmer has jurisdiction over schools. We don't.

The CHAIRMAN. How many children are there in the——

Mr. SAM. We're currently serving approximately 320,000 students under our part A formula grant. Almost all those grants go to public school districts, with the exception of some BIA contract schools that are also eligible.

The CHAIRMAN. How many of them complete high school?

Mr. SAM. Sir, I don't have those figures.

Mr. CORWIN. We can provide those for the record.

The CHAIRMAN. I would like to have the drop-out figures.

[The information follows:]

INDIAN HIGH SCHOOL COMPLETION

The Department of Education's High School and Beyond study reports that Indian students drop out of school at an estimated rate of 22.7 percent, a rate that is considerably higher than the national average, which is estimated by that study to be about 13.6 percent.

According to the 1980 Census, 55.5 percent of all Indians aged 25 and over are high school graduates. The median year of schooling for that age group is 12.2. In the 16- to 19-year-old age bracket, about 26 percent of Indians are not enrolled in school and are not high school graduates.

How many of them go off into post-secondary education, higher education?

Mr. SAM. There is a small increase. Those figures we can also provide you. Through our Indian Fellowship Program in the Indian Education programs in the Department, we are noticing an increase in the number of individuals entering institutions of higher education. We can provide those figures for you.

[The information follows:]

INDIAN COLLEGE ENROLLMENT

There are no national data on the number of Indian high school graduates who go on to college. There are some indicators, however, of the extent to which Indians are receiving a college education.

According to the 1980 Census 7.7 percent of all Indians aged 25 and over have completed 4 or more years of college. In 1986 (based on 1980 population data and 1986 data from the Higher Education General Information Survey), an estimated 18 percent of all Indians in the 18- to 34-year-old age bracket were enrolled in college.

The CHAIRMAN. Can anyone provide us with ball park figures?

Ms. PEASE-WINDY BOY. Mr. Senator, in terms of college completions, American Indians are at the—if you look at the overall age group, 18 through retirement age, 6 percent of them have completed a BA degree, while 23 percent of their caucasian or white counterparts have finished BA degrees; of Black Americans, 16 percent. I would submit to you, Senator, that we're really very far behind and the pipeline becomes more miserable at every stage.

The CHAIRMAN. What percentage receive graduate degrees?

Ms. PEASE-WINDY BOY. I'm recalling from a book by Dr. Aston, that was recently published, in fact in 1987 on Minorities and Higher Education. As I recall, 4 percent have graduate degrees.

The CHAIRMAN. Four percent?

Ms. PEASE-WINDY BOY. Yes; now that is of those, of the same 18 years or older group.

The CHAIRMAN. How would that compare with the national average?

Ms. PEASE-WINDY BOY. As I recall in the national average it's around 12 percent. I'd be happy to provide that information to the committee in exact chart form from that particular book.

The CHAIRMAN. Mr. Secretary, in your prepared text you mention a comprehensive report. When will that comprehensive report be forwarded to the Congress?

Mr. SWIMMER. I hope very soon. We have completed the text of it. We have some amendments as we go through the different disciplines to check facts and figures. It is in fact quite comprehensive, several hundred pages comparing test scores, giving a lot of vital statistic type information on Indian education in our program. I can't give you a date because of the difficulty of the clearance processes, but I would say the procedure we plan to use at this time, is to submit the document much as we would a planning document or an environmental type document for review, not as a completed document, and that avoids some of the review processes. In other words, we put it out in the public domain for comment, actually, then we would come back and submit the final document. We hope through that process we're talking in less than 30 days.

The CHAIRMAN. Because it would be extremely helpful to the committee to have this report available if we are to make any rationale decisions here.

Mr. SWIMMER. Yes.

The CHAIRMAN. The sooner we get it, it would be much more helpful.

In reading your request, one gets the impression that you are rewarding exemplary schools with additional funding, when it would appear that you should be providing extra funding for schools with problems. What is the rationale for that?

Mr. SWIMMER. It's a combination of things. One, and I wouldn't say as much a reward, it's a recognition and an attempt to get schools to reach that level of exemplary work. We're not overcrowded in there yet. We would hope also that that money will be used, and is planned to be used to pair the exemplary identified school with the weaker school, and the moneys would be used then to help work out problems existing in the weaker school, by providing the funding for the staff and the extra time it's going to take, transportation, what-have-you, of the exemplary school to work with the school that has problems. So it is both the recognition that there are exemplary schools and hope that more get there, and also recognizing the cost that such a pairing would be in trying to bring up other schools to that level.

The CHAIRMAN. On page 81 of your budget justification, the contract support dollars are set forth in a lump sum. Can you give us the number of contract support dollars that are attributable to the education function for fiscal year 1989?

Mr. Swimmer. Approximately $11 million.

The Chairman. What is the basis for the priorities that you have set out for fields of study under the Special Higher Education Scholarship Program? Given the additional students now eligible, what is the rationale for cutting the program by over $400,000? And put another way, how many Indian post graduate students would benefit if this money stayed in the budget, this $400,000?

Mr. Swimmer. The reduction is in two areas. One was simply getting back to where we were in 1988. I suppose I cannot say that it could not be spent. We could possibly spend more than what we've asked for. It is also recognition there are other funds available from other agencies of the Government, as well as private sector, and as well as universities, particularly for minority study at the post graduate level. The reason we have targeted certain fields, we have actually, I would say, enlarged the targeted number of fields. A few years ago we focused very much on law.

Not that we could say we have the same number of lawyers per capita are there is in the general population, but we certainly graduated a lot of them. In looking at the employment statistics of the Bureau, we now have about 82 percent of our employees who are Indian. The 18 percent or so positions that are not Indian, happen to fall to a great extent in the natural resource area, in areas like forestry, range management, water resources, engineering, and fields where there are those kinds of jobs existing on the reservation, but Indians not educated in those fields. So we have added those as targeted fields for post graduate, as well as the business area in hopes of doing more business development on the reservation and in the health fields.

So while it's targeted, there are six major categories. I guess if one were to look at what's left out, they would say, well social service field, maybe psychology. But I'm not sure that even that's fair given the broad category here, education, law and what-have-you. I don't think it's too restrictive, but it's simply an effort to encourage people into those fields. We need them as employees of the Bureau.

The Chairman. The committee agrees with you that tribal colleges should be encouraged to seek other sources of funding. However, having said that, I think experience demonstrates to us that most, if not all, colleges that have outside sources of funding get such funding from the immediate community, and also from former graduates who have done well, and who have set up endowment programs. But here we' are dealing with the poorest of the poor in the United States, the lowest income level, the highest poverty level, with a small and almost insignificant number of graduates, and very few of them have really done as well as you have, sir. Don't you think under those circumstances you will agree with us that the community colleges have every right to rely upon the Federal Government for the major source if not almost the total source of support?

Mr. Swimmer. I guess, if you ask for a yes or no, I'd have to say, no. Although I think that we should be a major source of funding in order to see the establishment of as many colleges and universities and make them available for students as possible. I think that we also have to look at several other things, with the availability of higher education to Indian students, it's already there; quality of tribally controlled community colleges, they're not all the same. There are some that are very advanced, and some that have been in business for some time and still aren't academically very well qualified. I think that we make a mistake if we just fund, as we have frankly, across the board, a certain amount of money per location.

What Fond du Lac mentioned, given the area that they're located in, if there are no other resources, no other alternatives, as far as a junior college education or a four-year college education, if the need is demonstrated for such a college, I think that they probably have the kind of operation where such a college could do well. But I also fear that we get into a lot of duplication, and obviously where Ms. Windy Boy is, and I've been to that location, there's a quality program struggling with a probably second class budget, and doing some tremendous things in an isolated area where Indian people really don't have much choice as far as going for a 2-year education, not if they're going to stay near the reservation. I don't know that that's the situation at Fond du Lac, or some of the other colleges. We're spreading our resources around, I guess is what I'm saying, and before I would ask the committee simply to add money on so we can put more money out to what's there, or add new colleges, I think we should examine where we're spending it, and maybe we should look at rewarding those that are doing well, maybe suggesting some of those that aren't able to provide or haven't been able to sustain a student count, or don't have a very good record to seek other means for an education if that money doesn't appear to be effective, maybe there's a way of negotiating with the local public universities, or something.

We have some that have managed to get accredited, which I think is very good. We have some that perhaps will never be accredited. Maybe we ought to look at that before we give the same amount of money. One would say, if the money is equal now we're certainly not buying an equal quality program. I think it's too hard simply to say that the Federal Government, the Bureau of Indian Affairs, should start up a certain number of tribally controlled community colleges and should respond simply to tribal desire to have a college. I think we have to look at what other outreach has been done, what efforts have been done, what the need is, how they're working. I know the university where I used to live in Tahlequah, Northeastern State University, grew out of the Cherokee Female Seminary, the first school west of the Mississippi for higher education of women, built in 1850. It is now a State university. It has the highest percentage of Indian students of any college in the United States, from all over the reservations in Oklahoma. I see no reason why the Cherokee Tribes should start a tribally controlled community college. Maybe there is, and maybe they'll come in and ask for one, or maybe some of the other tribes in Oklahoma will.

But I say we have a limited number of resources, and they're always going to be limited. Your committee operates under those constraints as well. I think it's important that before we say there's not enough, to make sure we're using what we have in the most effective and efficient way.

The CHAIRMAN. Mr. Secretary, in a few weeks, hopefully, the Special Committee on Investigations of the Select Committee on Indian Affairs will begin the job of investigating certain allegations that have been made over the years on the level of moneys that have been denied Indians. The allegations suggest that either by deception, or by embezzlement, or by thievery, or otherwise, Indians have been denied the gross sum of $11.7 billion. It's a mind boggling amount. I don't believe that that $11 billion comes to any close approximation of it. But assuming that the committee is able to clearly indicate that one-tenth of that was criminally deprived, and therefore through judicial process should returned to the Indians via your Bureau, how would you propose to use that billion dollars? [Laughter.]

I can guarantee you will get some money.

Mr. SWIMMER. We might. Under those circumstances I think however, for the record, I have to say that the allegation is unsubstantiated. There is no record of $11 billion or $5 billion.

The CHAIRMAN. I'm not suggesting there is, but I think it would be safe to assume that maybe 10 percent is correct.

Mr. SWIMMER. Given the audits that the Mineral Management Service does periodically, we're always collecting more money. And it's being given to the Indian people.

If that money were provided to the Bureau of Indian Affairs, I would hope that we could sit down with the tribal governments and figure out a way to solve some of their problems, not theirs, as governments, but the problems on the reservation, and not wind up with the money being categorically appropriated the way we do now. It would give us an opportunity, perhaps, to do some real serious planning about problem solving. I couldn't say where it should go. Part of the problem that I face in this job, as I've stated before, is not a lack of money, it's how it's spent, and the way it gets allocated. So a billion dollars or half of that or whatever might be, used in conjunction with some tribal planning could very well go into establishing some education institutions, or furthering the education effort.

But I think we'd have to be very careful that we don't simply add to the woes that are out there by exacerbating the problem of having more money than we can deal with effectively.

The CHAIRMAN. That question that I just asked is a very important one, because I believe if moneys are returned, that money belongs to the Indians. It doesn't belong to the Bureau of Indian Affairs. And if that is the case, then it is up to the Indians to determine how to spend that money. If they want to waste it, that is their determination. Don't you agree?

Mr. SWIMMER. Yes.

The CHAIRMAN. I don't think it is up to Washington to tell them how to spend their own money.

Mr. SWIMMER. I agree. They have $1 billion presently on deposit, and I think that even that money is perhaps not getting the most effective use, or the greatest return that could be if tribes were more involved with it.

IMPACT AID CONSTRUCTION

The CHAIRMAN. Now if I may ask a few questions of Mr. Sam. In your testimony you indicated that 815 construction, that's Impact Aid construction, isn't it?

Mr. SAM. Yes, sir; that's correct.

The CHAIRMAN. Will be funded at $25 million for fiscal year 1989, and of that amount $12 million will go to districts which serve a substantial number of Indian children. Am I correct?

Mr. SAM. Yes.

The CHAIRMAN. You have also indicated that you will be eliminating assistance to "b" category students, is that correct?

Mr. SAM. That is correct.

The CHAIRMAN. Now, if that is the case, how are you going to spend the remaining $13 million?

Mr. CORWIN. The "b" students aren't part of the construction program. The construction statute, 81-815, includes funding for construction projects on Indian lands, as well as projects on federally owned property, such as military bases. The remaining $13 million will be spent for those other projects.

The CHAIRMAN. On military bases?

Mr. CORWIN. Yes; the Federal Government owns school facilities on military bases. Many of them are in poor repair or need expansion in order to accommodate higher enrollments. We also have a small amount of funds available, $3 million——

The CHAIRMAN. I know that we have construction funds under Impact Aid as we do in Hawaii, but isn't this $25 million supposed to be for Indians?

Mr. CORWIN. No; there are different categories under the statute for different types of construction projects.

The CHAIRMAN. How did you come to the division of 12 and 13?

Mr. CORWIN. Well, it's pretty close to what we've had in recent years. The amount for Indians has been about one-half and we decided to keep it at that.

There are long backlogs of applications, several hundred million——

The CHAIRMAN. You have decided to keep it that way because that is the way it has been done in the past?

Mr. CORWIN. Well, there are compelling needs for both types of projects.

The CHAIRMAN. I would like to have a memo from you on how you have reached that conclusion that it should be a division of 12 and 13.

Mr. CORWIN. I'd be glad to provide it.

The CHAIRMAN. Because I happen to know that DOD has a few more dollars than the Bureau of Indian Affairs. [Laughter.]

Mr. CORWIN. This is true.

[Information follows:]

IMPACT AID CONSTRUCTION FUNDING

The Department is requesting funds for three categories of construction activities for 1989. The highest priority is given to Sections 14(a) and 14(b), which authorize construction grants to school districts that serve children residing on Indian lands. These districts appear to have the greatest need for new or additional facilities and the least funds available from other sources. Therefore, $12 million, the largest share of the total, is requested for projects under Sections 14 (a) and (b). This is $2 million more than the 1988 appropriation.

For 1989, $10 million is requested for Section 10, which is $1.4 million more than the 1988 enacted appropriation. For Section 10, which authorizes the repair and construction of facilities to serve children residing on Federal property, funds have been made available through the Department of Defense as well as the Department of Education since 1984. This is the only school construction authority available to DoD. The Department of Education uses these funds to maintain and repair schools that it constructed and still owns, except for schools associated with Section 6 projects. The Department of Defense uses its Section 10 authority for schools serving children who attend Section 6 schools. Since 1982, DoD has funded and operated the Section 6 schools for children residing on Federal property.

In addition to making emergency repairs to buildings owned by the Department of Education, Section 10 funds appropriated to the Department of Education for 1989 will be used in conjunction with the Department of Defense to begin implementation of the recommendations in the Departments' recent joint report to the Congress on school facilities on military installations.

Section 5 authorizes assistance for school construction in areas experiencing an increase in Federal activity, and Section 14(c) authorizes construction assistance to school districts that are comprised mainly of Federal lands and that have a substantial number of inadequately housed pupils. Grants under these sections are generally for only a small proportion of the total cost of the projects. The amount of $3 million is requested for these sections, $1.3 million less than the 1988 level.

This requested distribution of funds among Impact Aid construction activities is similar to that used by the Congress in making appropriations for recent years.

The CHAIRMAN. This is an opportunity for you people to ask the Department of Education, the Bureau of Indian Affairs; do you have any pressing questions you would like to pose?

Ms. PEASE-WINDY BOY. The question I would have, the Tribally Controlled Colleges Act does have provision in the eligibility for funds under the Act. It is tied to the process of accreditation. My question would be—that it appears that the Bureau of Indian Affairs is assuming the role of higher education accreditation, when that in fact is our standards set forth, starting first of all with the Department of Education and coming down in that direction. My question is, what there be in the Bureau of Indian Affairs which supercede and in fact measure quality even to a much more superior level than those standards that have been set for several decades in the field of higher education?

The CHAIRMAN. Secretary Swimmer.

Mr. SWIMMER. I didn't mean to suggest that we had separate standards. The point I was trying to get across is that there are differences of quality. Accreditation is not the indication of quality, but it is a fundamental. And it says that there is a certain operating level. I would leave that up to the association to determine those differences and whether there is any desire to see money so allocated. Right now we provide it across the board to accredited, unaccredited, whether people graduate or don't, or whether anyone goes to school.

The CHAIRMAN. Are you satisfied?

Ms. PEASE-WINDY BOY. Well, the implication, and this is just insight of some—just an observation, is that there may be quality standards in higher education that don't apply to some of the things that perhaps Mr. Swimmer is looking at. If he wishes to look at auditing of records, we are audited on an annual basis. If he wishes to have the GAO or the Inspector General's Office audit us, we have in fact been audited a number of times. As an administrator of a small institution, I have been very involved with evaluation on a number of bases. So, I'm curious to know the measure of quality with a capital Q. Apparently the BIA has an edge on what that must be.

The CHAIRMAN. Mr. Parisian, do you have any questions you would like to pose?

Mr. PARISIAN. I proposed a question in the testimony regarding the Indian Student Equalization program formula. The Bureau did state that there was a decrease in the total amount of weighted student units in fiscal year 1989, and I would like to know a little more, or see a little more visible evidence that that count in fact is going to be reduced, and how they arrived at that information.

Mr. SWIMMER. We have had a continual decline, and what we project in 1989 to be the student enrollment as 39,100. And that would be from 39,592. Beginning in 1982 where we started tracking for this particular table, it has steadily gone from 42,000, almost 43,000 students down to 39,500 last year. We anticipate the decline. The formula provides for a certain amount of funding per student though, and that's what the ISEP formula will do.

There has not been a reduction in that formula. The reduction is a misunderstanding of the way the budget is reflected and it is something I referred to in the earlier testimony, called the Federal Employee Retirement System. Last year a certain amount of money was added to our budget to cover the matching contributions that the Federal Government would make to Federal employees. However, as was true across the Government, not that many people joined. That match was not required and so it was taken out of our budgets because it had been an add-on to cover that specific cost. So it appears that there's a reduction, in fact the amount per student, the weighted student average is still the same as it has been before. There was no net reduction in that line item.

The CHAIRMAN. Pursuant to Congressional directive of about 10 years ago, we have instituted in your Bureau a priority system. I think it was first called the Band, and now it is called the Indian Priority System. And you are required by law to meet with and consult with Indian tribes on how the moneys, the limited numbers of dollars, should be spent. According to the record, each year we have meetings of this sort, and we can't help but conclude that the priorities as set forth by the men and women of the Indian country are either disregarded or ignored. Is that a valid comment?

Mr. SWIMMER. No; I don't think that's a valid assumption. I would like to have Ms. Richardson, if the committee would indulge us, just explain how the IPS works, because it does give you some knowledge base there and an understanding of why it might appear that those kinds of things happen.

Ms. RICHARDSON. The Indian Priority System allows for tribes to plan at four different levels of funding in incremental packages that they would have, for instance, at the current funding level. They would say they want $50,000 for law enforcement. If the funding level were 10 percent higher, then of that additional 10 percent, perhaps $10,000 more would go to law enforcement and $5,000 more would go to scholarships. All of these programs are ranked, and the increments are ranked. The tribes can break it down to $5,000 to $1,000 to any amount for additional money as to where it would go over a level that starts at 80 percent of current funding.

All of this is in a computer program, and the only things the Bureau does for the priority ranking is to plug in the percentage at which the total is run. If the budget request is going to be 105 percent of last year's total, we run at 105 percent. If it's going to be 97 percent, we plug in 97 percent and the calculations are then done to cut off each location at the 97-percent level, which has different funding packages for each tribe based on their priorities. Other decisions are made in general, for instance, road maintenance off the Band, something like that that says, OK, all of this money is gone, but as far as changing the individual priorities, that doesn't happen. It wasn't saying, OK, you wanted this and we think you should have it in scholarships, instead of tribal courts and so we're moving the money around. It's a computer program.

Mr. SWIMMER. The point is, the priorities are respected across the board. There is intensive work done at the agency level during the budget season to develop the IPS. A tribe that may say we wanted an increase of so much in law enforcement winds up with a decrease, and they say, well, how did that happen. And if you ran the program according to their other priorities that they set out, and according to the amount of money available nationally, if they only ask for a 1-percent increase in that budget, and there was a 5-percent decrease for whatever reason across the board nationally, you wind up with actually getting a reduced amount of money even though they had set it at a higher priority.

The issue mentioned this morning about the courts issue, you know, that's what I was saying was that everyone would like to protect their program budget, and most of the time they say let's take it off the Band so we can protect it because a tribe may prioritize it differently. Well every time we take something off the Band, it of course, affects the total dollars in the IPS budget.

The CHAIRMAN. Does the IPS come into operation on programs and projects? For example, this morning we discussed your $2.5 million request for transferring certain activities to a field office in Albuquerque. I gather that just about every tribe has been opposed to it.

Mr. SWIMMER. That would be Indian Health Service, I believe that was going to do that.

The CHAIRMAN. Would that come under you people too?

Mr. SWIMMER. Well, I haven't suggested that. [Laughter.]

I was thinking of Tulsa.

The CHAIRMAN. Does the Indian Health Service have an IPS type arrangement?

Mr. SWIMMER. I don't believe they do, not the same as ours. They have a resource allocation formula, RAC, or RAM, or ARAM. It's a similar thing, but it's a location type budget, not programmatic. So it's quite a bit different, I think, than what we were talking about in the Indian Priority System.

The CHAIRMAN. Ms. Taylor, do you have anything that concerns you?

Ms. TAYLOR. No; my question would have been the same that Mr. Parisian asked.

The CHAIRMAN. I have reams and reams of questions submitted by other Senators, and if I may I would like to submit them to all of you, and hopefully within 10 days receive your responses. I thank you all very much.

Our final panel consists of the General Deputy, Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development, Mr. Jim Baugh; and the Executive Director of the National American Indian Housing Council of Washington, Ms. Virginia Spencer.

Regretfully, that is a call for a vote. I will be back in 10 minutes. So, we will have a 10 minute recess.

[Recess.]

The CHAIRMAN. Mr. Baugh.

STATEMENT OF JIM BAUGH, GENERAL DEPUTY, ASSISTANT SECRETARY FOR PUBLIC AND INDIAN HOUSING, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, WASHINGTON, DC

Mr. BAUGH. Mr. Chairman and members of the Senate Select Committee on Indian Affairs, I appreciate the opportunity to represent the Department of Housing and Urban Development before you committee.

I think you have a copy of my statement.

The CHAIRMAN. Yes; we do. And it will be made part of the record.

Mr. BAUGH. What I'd like to do, Mr. Chairman, if it's okay with you, I'd like to summarize my statement and obviously read some parts of it, if that's OK.

The CHAIRMAN. Oh, excellent, sir. We have received your prepared text, Dr. Baugh, and like all others it will be made part of the record in total.

Mr. BAUGH. OK.

In outlining my presentation before the committee this afternoon, sir, what I'd like to do is just currently give the character of the HUD's Indian Housing program as a number one step. And number two, I'd like to talk about some of our initiatives at HUD to improve the program. And last, I would like to specifically address budgetary matters, related to the funding for the program for fiscal year 1988 and also what is proposed for fiscal year 1989.

And pursuant to the character of the program, we have 173 Indian housing authorities managing over 61,000 units, both home ownership and rental units. We also have approximately 9,800 additional units in the pipeline at the beginning of fiscal year 1988. We think that we have reduced the time that units are in the pipeline from about 36 months to 24 months. So we feel that by being expeditious, we will be able to provide shelter for Indian people within a much shorter period of time than previously.

For fiscal year 1988 we will have fund reservations for 2,000 units. Also there will be recaptured funds, and those recaptured funds will be budget authority. With regard to the budget authority, one way of looking at it is, for every dollar that you recapture of budget authority, it will yield $2.50 of loan authority, so therefore what you're really getting in a recapture is significantly more money that will yield more units. In other words, what we had in the budget was 100 units that would cost $17.4 million in budget authority. We recapture those dollars and then we turn it into loan authority, that would yield 236 units. So what we're looking for in fiscal year 1988 is 2,000 units plus the 236 units from recaptured funds.

Second, I'd like to talk about some of the initiatives that we have advanced for the Indian Housing program. As I indicated earlier, we have accelerated the construction starts and completions so that housing can be made available sooner for Indian families. At the beginning of this administration there were 16,000 units in the pipeline. We have reduced that number down to the 9,800 that I mentioned at the beginning of fiscal year 1988. We have completed the coordination, review and approval of Amerind, which is a third party claims administrator to provide required insurance coverage to Indian Housing Authorities.

We've also taken a considerable amount of time to address the troubled housing authorities financially as well as operationally, and we've been able to reduce those numbers. I think the numbers are from 71 at one particular time, down to 41 housing authorities that are currently troubled at this particular time.

We're very happy to report that we have in place now a separate consolidated Indian housing regulations that will be published shortly for comments. And I just heard that we heard from OMB and they agree, they have concurred on what the consolidated regulations reflect.

We also have tried to provide technical assistance to the troubled housing authorities, not only technical assistance from our HUD people and through our field offices, but also we've contracted out to provide additional, more technical kind of assistance than one would get from our HUD people, and at this particular time we have about five IHAs that are participating in that particular program.

One of the things that we're very proud of is the fact that we've fully implemented an automated cash management system to provide development payments on a timely and reliable basis. This eliminates excess financing of IHAs. And there's an estimated cash savings of about $9 million annually.

We also have completed the installation of a computer tracking system, called MIRS, in the Office of Indian Housing and our six Indian field offices. This tracking system produces nationally accessible Indian housing management and development data for effective remote monitoring of Indian Housing operations.

Now what I'd like to do, Mr. Chairman, is for the record give more specificity with respect to Indian Housing development costs. The average total development costs have been reduced 24-percent, and this is exclusive of water and sewer costs, from a high of almost $75,000 per unit in fiscal year 1981 to $56,000 in fiscal year 1986. This decrease is about 44 percent when costs of living adjustments are included. In fiscal year 1987 total costs increased slightly due primarily to the inclusion of off-site water and sewer charges in unit costs.

Now let me turn to the budget matters. In fiscal year 1987, HUD reserved $245 million for the development of 3,671 Indian housing units. This includes 1,367 units funded from $121 million of recaptured budget authority. Last year, construction was started on 3,412 units and 3,469 units were made available for occupancy. In fiscal year 1987, HUD also reserved $14.8 million for Indian housing contract amendments, $28.8 million in modernization funds, and $45.1 million in operating subsidy funds.

Our fiscal year 1989 budget requests an appropriation of $71.9 million for the development of 1,000 units of Indian and Alaska Native housing, including funds for off-site water and sewer facilities for these units. The fiscal year 1989 budget also contains $36.7 million for contract amendments for public and Indian housing projects in the development pipeline which recognizes a continuing commitment to complete these projects. Another $1 billion is requested in fiscal year 1989 for public and Indian housing modernization needs of which 3 percent or approximately $30 million of that money will be available exclusively for Indian housing. The total obligation for operating subsidies will be $1.5 billion in 1988. Historically, about 3 percent of that total has been provided to Indian Housing Authorities.

In addition, the 1989 budget proposes $1.5 million to contract for technical assistance to troubled PHAs as well as IHAs. About $150,000 of that money is expected to be used for IHAs.

Based on the Conference Report on the 1988 Appropriations Act, the 1989 Budget reflects $147.8 million in 1988 for the development of 2,003 Indian housing units. This total includes the $17.4 million that I talked about earlier that will be recaptured in budget authority, which will yield 236 units.

We've already assigned $54 million to our Indian field offices for Indian housing modernization needs. We also are engaged in planning for the use of $100,000 available in fiscal year 1988 for contractual assistance to troubled IHAs.

Mr. Chairman, that closes my statement. I really believe that if a very close evaluation is done, since the inception of this administration, I think that we have a record of significant improvements to the Indian Housing program. There's always room for some fine tuning, and making some adjustments, however, we think that we've found some of the answers. And the way we've done that is by working very closely with the Indian Housing Authorities, as well as with our people in our HUD field offices, and also with the interest groups.

Sir, that concludes my remarks, and I'll be happy to take any questions.

[Prepared statement of Mr. Baugh appears in appendix.]

The Chairman. Thank you very much, Dr. Baugh.

You're the Assistant Secretary for Public and Indian Housing.

Mr. Baugh. Sir, I am the Acting Assistant Secretary, but I am the General Deputy Assistant Secretary for public and Indian housing. So I am wearing two caps at this time.

The Chairman. What is the budget for your department or section?

Mr. Baugh. For the Public and Indian Housing area?

The Chairman. Yes.

Mr. Baugh. Sir, I don't know exactly, but I would say it's in the neighborhood of $3 billion.

The Chairman. $3 billion, is that correct?

Mr. Baugh. $3 billion, someplace around $3 billion.

The CHAIRMAN. Of that amount, what is the Indian Housing account?

Mr. BAUGH. I don't know what percentage of that that would be, but the way that I could tell you the way it would work out, if we look at the public housing part of my responsibility, sir, we're talking about 1.2 million units of housing, versus 61,000 units of Indian housing. We're talking about operating subsidy in the nature of $1.5 billion. A very small percentage of that money is utilized for Indian Housing program.

My staff tells me, sir, that out of the approximately $3 billion, there's about $550 million that one could associate with the Indian Housing program. We'd be happy to provide for the record.

The CHAIRMAN. I would appreciate that.

How many full-time equivalent staff persons do you have in your section?

Mr. BAUGH. We have at headquarters in terms of FTEs, 132.

The CHAIRMAN. 132?

Mr. BAUGH. 132, 130.

The CHAIRMAN. Of that number how many have designated involvement in Indian Housing?

Mr. BAUGH. We have 12 in headquarters.

The CHAIRMAN. You have 12 out of 132?

Mr. BAUGH. Right.

The CHAIRMAN. Are you aware of the consolidated housing inventory which was submitted by the Bureau of Indian Affairs for fiscal year 1986, 3 years ago?

Mr. BAUGH. I don't believe I am, sir.

The CHAIRMAN. Well, that inventory states the following: 92,580 Indian families are in need of substantial housing assistance. And this 92,580 is divided into two major categories. One, 39,880 families whose residences are in need of rehabilitation assistance; and second, 52,700 families who are in need of new houses.

And how many units are we developing in fiscal year 1989? I am not talking about the pipeline, but rather the new ones.

Mr. BAUGH. In the pipeline beginning in 1988 there's 9,800 and I believe for 1989 that number would be reduced somewhat to approximately 8,700, as I recall. But we're requesting for 1989 1,000 additional new units.

The CHAIRMAN. At the rate we are providing housing assistance, do you think that we will be able someday in the future to accommodate half the families?

Mr. BAUGH. Half of the families?

The CHAIRMAN. Yes; I am not saying all of them, just half.

Mr. BAUGH. Well, sir, let me say this. I think that in those figures that you have given me that was in the Consolidated report from BIA, over the last 3 or 4 years we have debated about the accuracy of those figures. But nevertheless whatever they may be, I think that obviously there will probably always be, Mr. Chairman, a demand that will certainly be greater than the supply. The only thing that I could say to you, that obviously, and looking at it rather academically, given what we're recommending and what we're requesting, if indeed you're talking about just meeting the needs of half of that population, it would take a long, long time to do it this way, if ever. So that would be my response. Just to meet half of that population, because obviously when you look at our numbers they're not going to meet at any point in time to deal with that particular numerical figure that you place on the number of people that are needy.

But what I would like to say, Mr. Chairman, is that since the early 1980's, 1981, since the inception of this administration, we have provided 20,000 more additional Indian Housing units for occupancy. As I indicated to you, there are 61,000 units overall in that inventory. And HUD provides 60 percent of all the standard housing in the Indian areas. Now if you look at what we're doing in the Indian areas versus outside of the Indian areas, you will see that since 1981 we're providing 28 percent of all housing in Indian areas. But in terms of needy individuals outside of the Indian areas we're only doing something like 2.5 percent. Now when we talk about that 2.5 percent outside of Indian areas, I'm talking about all the HUD programs. I'm talking about Public Housing. I'm talking about all forms of section 8, modern rehabilitation, 236, section 8 existing, some section 8 new construction, substantial rehab in the section 8 202 program. So by comparison, with the number of dollars we are providing more assistance to individuals within the Indian areas than we are outside.

The CHAIRMAN. I became Chairman of this committee about 14 months ago. And as you can imagine this is the committee that most Senators would avoid serving on.

Mr. BAUGH. Yes, sir.

The CHAIRMAN. It has a small staff. It is not a prestigious committee. We finally secured this hearing room. This was the last committee to have a hearing room assigned to it. All other committees, select committees, have their own hearing rooms. The Indian committee finally got one. The staff was the lowest paid. We finally got computers. All other offices have had computers all these years, but the Indian committee finally got them last year.

So I decided to do something which surprisingly was considered rather revolutionary. I decided to visit Indians. And I was the first Chairman to visit the Southwest where you have large numbers of Navajos and Hopis, and to visit the Pacific Northwest. We will be traveling to the Dakotas and Montana in May. I decided to look into the housing situation of one tribe, the Navajos, which happens to be the largest of all the Indian tribes in the United States. These numbers that you can check with the Bureau of Indian Affairs, are that approximately 60 percent of the housing there is without water, and electricity. An equal number without toilet facilities, indoor toilet facilities. The housing that you provide the people outside, are they also lacking running water, indoor toilet facilities, and electricity?

Mr. BAUGH. Sir, I would say that in some of those public housing inventories, in some places, you would find not that they lack those indoor facilities, but I could not say whether or not they're working properly or not. I think that would be the case. Either way, it certainly doesn't make for providing of decent living environment. So we do have at least in some public housing, and some of our other assisted housing deplorable kinds of conditions that almost reflect the housing situation in the late 1930's, because you know that is the way we define substandard housing, very, very early when these programs started, simply because they did not have indoor plumbing, as well as the electrical connections.

So I understand what you're saying, Mr. Chairman, I've also been to some of the places that you have visited and I can say to you, sir, for the most part in my travels I've felt really good about what I've seen out there and the kind of housing that we've produced. But I have come away from some places feeling very, very badly simply because you're absolutely right, there are some very deplorable kinds of conditions.

The CHAIRMAN. As you know, the great bulk of the land involved in housing in Indian country is what we call trust land, reservation land, and there is no such thing as fee ownership for the most part. So you can't very well go to a bank with a piece of paper and say that you will mortgage your property.

Under those conditions, where is private market housing available? One of the suggestions made in your prepared text says that greater emphasis should be made on private market housing. If I were an Indian living on one of the reservations, do you think I could go to a bank and borrow money to build a house?

Mr. BAUGH. Well, I think that what I'm alluding to in my paper are the possibilities for some Indians to have an opportunity to get housing either through FHA program, or either through Farmer's Home. I think that we're looking very, very closely now at an FHA program over in our housing areas, that's under the Assistant Secretary for Housing, also the FHA commissioner. And I think technically we've already been able to do a few transactions via the FHA program, but I think that there's still an obstacle to it at this particular point, and that is to get a letter prepared, I'm told, and that making as I recall, the tribe the mortgagee and the letter has to go to an FHA approved lender. I've got Mr. Combs here, who is an assistant to our Secretary, who's worked very closely on that particular process. What I'm quoting to you is what he told me the other day, that we're very close to making this program work, or putting it in place. We don't know how it's going to work.

And the other thing is, that we think there obviously is an option for the Farmer's Home program. Now, I've heard the pros and cons on that, Mr. Chairman, as well as you have. Farmer's Home—I've heard that Farmer's Home not only doesn't work for Indians, but it doesn't work for anyone else the way that maybe it intended to work. But these are the kinds of things that we're trying to do to the extent that we find circumstances where it may happen. For example, there are some Indians, obviously, with higher incomes. And by comparison they're the same kinds of individuals who are non-Indians living in other places who may have higher incomes who are living in subsidized housing, where you try to find home ownership opportunities for them.

I think it's a problem. We realize it's a problem, but we have tried and are trying some approaches to make housing affordable, to make housing available to the extent that our resources will let us. And I think, sir, that's about all I can say.

The CHAIRMAN. I am certain you're trying your best. If I may share with you just a final set of numbers.

The most recent statistics indicate that the unemployment picture in Indian reservations, the national average is 47 percent.

Ms. Spencer.

STATEMENT OF VIRGINIA SPENCER, EXECUTIVE DIRECTOR, NATIONAL AMERICAN INDIAN HOUSING COUNCIL, WASHINGTON, DC

Ms. SPENCER. Thank you.

Mr. Chairman and members of the Select Committee on Indian Affairs, my name is Virginia Spencer and I am the Executive Director of the National American Indian Housing Council. And we represent those 173 Indian Housing Authorities from Maine to Alaska, and California to Florida.

I am pleased to be here today to testify on the administration's proposed 1989 budget for Indian Housing. I also want to thank you, Chairman Inouye, and other members of this committee for your support and commitment to Indian housing particularly expressed by your sponsorship and introduction of S. 1987, the Indian Housing Act of 1987.

Figures from the 1987 Bureau of Indian Affairs Consolidated Housing Survey show that nearly 93,000 Indian families are in need of assistance. The Department of Housing and Urban Development is the agency that has the responsibility for financing new homes. The Bureau of Indian Affairs provides funds for rehab of existing homes under its Housing Improvement Program. And in addition to providing decent houses, the Federal Government has the responsibility of providing safe drinking water and sanitation facilities to Indian homes. The Indian Health Service's Environmental Health Division is the agency with this major responsibility.

In the administration's fiscal year 1989 budget proposal, HUD Secretary Pierce has once again slashed Indian housing to the bone: the request is for 1,000 units to assist Indian families plus a proposed rescission on any recaptured units. This is a 50 percent cut from Fiscal Year 1989 funding. And at that rate, frankly the existing need for new homes will not even be met in my lifetime.

Further, in the recent budget deliberations and negotiations on S. 825 that the President signed just 1 month ago, he has already reneged on the 2,000 unit commitment made in that bill for a 2-year appropriation. Since 1980 the Indian population has increased by 23 percent. The Indian children born in this decade may never experience decent housing comparable to the rest of the Nation's population. Under the BIA Housing Improvement Program, the administration is requesting $17.2 million, a 25-percent cut from fiscal year 1988. In addition, nearly 20 percent of our Indian communities still lack basic water, sanitary sewage, and solid waste disposal facilities. And only 2 percent of the rest of the Nation still experience these problems. In the fiscal year 1989 budget proposal, the administration has recommended zero funding for safe water development and related facilities for the 8th year in a row. In fact, you couldn't even find the sanitation facilities budget in the Indian Health Service budget documents. It just disappeared this year.

Housing assistance programs were developed in the 1930's and 1940's for the rest of the Nation. Indian housing needs were ignored until the 1960's when the then Department of Housing and

Urban Development—it was formerly the Public Housing Administration—discovered that it could serve Indian tribes under the Public Housing program. We don't have an Indian housing program, we have a public housing program for Indians. Over 60,000 homes have been built since that time and Indian communities have made great progress in improving living conditions with aid from the Federal Government. Now is not the time to lessen that assistance. Due to low incomes, high unemployment and the trust status of Indian lands, many Indian families are forced to live in substandard housing all of their lives. Many Indian families choose to stay on the reservation or their homelands, doubling and tripling up. This is what I call the Indian equivalent of homeless. The results are worsening health conditions, overcrowding, social disruption and the breaking up of families.

A minimum of 6,000 units per year of new construction is needed which could meet the existing need for new Indian homes for the lower income families in about 10 years. At approximately $70,000 in today's dollars, an appropriation of $420 million a year would alleviate the biggest housing problems in Indian areas. If you add in funding for rehab at 6,000 units a year, at about $10,000 a unit, that's $60 million, and create a revolving loan guarantee fund of another $20 million for financing homes for middle income families on trust land, a yearly appropriation of a half billion dollars would eliminate substandard housing in Indian communities across this country before the year 2000. The National American Indian Housing Council recommends that the committee consider this funding amount.

In addition to opposing the administration's budget cuts, the National American Indian Housing Council would like to reaffirm its support of the Indian Health Care Amendments and proposals to codify both the BIA Housing Improvement Program and the HUD Indian Housing Program. The latter has been introduced as S. 1987.

The proposal to codify the HUD Indian Housing Program under a separate title in the Housing Act has been introduced by yourself and other members of this committee. The measure, originated out of the HUD Secretary's Committee on Indian and Alaska Native Programs, and we feel it's the first step in designing a housing program that is more relevant and appropriate to Indian areas. The provision of housing assistance to Indians differs radically from providing housing to help the Nation's urban poor. The lack of infrastructure, remote rural locations, and wide cultural, as well as geographical, diversity complicates the delivery of housing to Indians and Alaska Natives. In addition, there exists a legal, government-to-government relationship between the Federal government and Indian peoples. These elements must be considered in the design of a program, and S. 1987 does that. And we're looking forward to hearings and early passage of this important legislation.

Mr. Chairman, the Indian population has increased by nearly one-fourth since 1980. This indicates a growing need for housing for Indians in the coming years. I urge the committee to provide adequate funding for the existing programs to deal with the unmet need which, with your help, could be met by the end of this century. In addition, I did submit written testimony for the record, and I hope that will be included.

Thank you.

[Prepared statement of Ms. Spencer appears in appendix.]

The CHAIRMAN. For the record, can you tell us what the Tri-agency agreement is all about?

Ms. SPENCER. It's an agreement to coordinate activities between the Bureau of Indian Affairs, the Department of Housing and Urban Development, and Indian Health Service, so that the roads and leases from the Bureau can be approved in a timely manner. The Indian Health Service role is unclear at this time, but right now there's a transfer of funds generally from the Housing Authorities to the Indian Health Service to provide water and sewer for HUD-funded homes, HUD is to coordinate the construction of the houses so that you don't have a house built before the roads, and the water and sewer get there. So it's a coordinating document, an agreement between these agencies, and my guess at this time it is probably not working very well.

The CHAIRMAN. It's not working?

Ms. SPENCER. Not very well. I think it's working, but it probably needs to be reviewed and these agencies need to get together and make a commitment to Indian Housing and get on with the job.

The CHAIRMAN. When was this agreement entered into?

Ms. SPENCER. In the mid-seventies. It took awhile. It was 15 years after this program was started before we even had rules and regulations for it.

The CHAIRMAN. Well, it has been a long day, and we have a few questions here we would like to submit. The staff has prepared 21 questions here. So if I may, I would like to submit them to you and request that responses be placed in our hands in about two weeks.

I would like to thank you, Dr. Baugh and Ms. Spencer, for your patience in waiting all day for your turn. Your testimony will be extremely helpful to us as we do our part in working on the budget. So with that I thank you very much.

Mr. BAUGH. Thank you.

Ms. SPENCER. Thank you.

The CHAIRMAN. This committee is adjourned.

[Whereupon, at 4:50 p.m., the committee was adjourned.]

APPENDIX

Additional Material Submitted for the Record

STATEMENT OF THE DIRECTOR
of the
INDIAN HEALTH SERVICE

Mr. Chariman and Members of the Committee:

I am Dr. Everett Rhoades, Director of the Indian Health Service. I am accompanied by Mr. Milburn Roach, Associate Director for Administration and Management and Mr. Bill Pearson, Associate Director, Office of Environmental Health and Engineering. We are pleased to be here today to discuss with you the Fiscal Year 1989 budget request for Indian Health programs.

The Indian Health Service (IHS) is the Federal agency charged with administering the principal health program for American Indians and Alaska Natives. On January 4, 1988, by order of the Secretary of Health and Human Services, the IHS became one of seven agencies of the United States Public Health Service. The goal of the IHS is to raise the health status of American Indian and Alaska Native people to the highest possible level. Its mission is threefold: 1) to provide or assure the availability of high quality, comprehensive, and accessible health services; 2) to provide increasing opportunities for Indians to manage and operate their own health programs; and 3) to serve as a health advocate for Indian people. In FY 1989, the IHS will continue its mission by providing comprehensive health services to over one million Indian and Alaska Native people.

Since the transfer of Indian Health programs from the Department of the Interior to the Public Health Service in 1955, the health status of Indians has improved dramatically. The infant mortality rate for Indians has been lowered to below that of the general population and the 1985 age adjusted mortality rate for deaths due to gastrointestinal diseases for American Indians and Alaska Natives residing in reservation states fell below that for the U.S. All Races population. Death rates associated with accidents and alcohol abuse also continue to decline. Indians have lower age-adjusted mortality rates of heart disease and cancer than non-Indians, but have higher rates of diabetes, chronic liver diseases and influenza. Largely because of programs initiated by the IHS, Indian children are innoculated at a greater rate (87 percent) than non-Indian children (78 percent). The health status of Indians continues to show improvement.

The IHS comprehensive delivery system is composed of two principal components. The clinical services delivery system, administered directly by IHS staff, operates 45 hospitals, 65 health centers, 6 school health centers, and 267 smaller health stations and satellite clinics. In FY 1987, the IHS staffed facilities provided for approximately 3.6 million ambulatory visits and 76,000 discharges.

The FY 1989 budget request provides an estimate of resources available for tribal health programs. These programs, which are administered by tribes and tribal organizations through contracts with the IHS, operate 6 hospitals, 70 health centers, 1 school health center and 262 smaller health stations and satellite clinics. In FY 1987 the tribally operated facilities provided for about 858,000 ambulatory visits and 6,000 inpatient discharges.

The second component is the contract health services program. This mode of health care delivery purchases medical care from non-IHS and non-tribal providers. We consider contract health services to be an important and integral part of the comprehensive IHS and tribal health care system. Contract health services represent services either not available in IHS's direct or tribal health care facilities, or in locations where no IHS or tribal facility exist. The IHS program has approximately 2,000 contracts with private providers primarily for the delivery of speciality care. In addition, there are 33 urban Indian health projects providing various referral and health services.

For FY 1989, the budget request for the IHS includes $1,063.4 million in total obligations and $989.7 million in budget authority, a 4.5 percent increase over the FY 1988 level of services, of which $987.3 million is for Indian Health services, and $2.4 million is for the Indian Health Facilities modernization and repair program currently under the Indian Health Facilities appropriation. Reimbursements included are $76.7 million, of which $66 million is expected to be collected from Medicare and Medicaid sources. These funds will be used to attain and maintain accreditation of IHS facilities as required by law. We would like to point out, however, that to maintain accreditation, the IHS currently expends these funds on a variety of things including: health professionals, medical equipment, medical supplies, etc. All of the FTE's, services, and materials purchased with Medicare/Medicaid funds contribute directly or indirectly to the provision of services in IHS facilities.

In order to maintain a quality health care delivery system in the future, the IHS will initiate policy and management strategies that will continue a cost effective and efficient program. As we move into the 1990's we anticipate a growing beneficiary population, continued increase in demand for services, and increased Medicare/Medicaid collections. A number of our current objectives address the initiatives that we feel will help us better meet this need. These objectives include a focus on health promotion and disease prevention, emphasis on quality assurance, and attention to youth, alcohol abuse, accidents and violence. Considerable progress has been made by IHS in achieving the Department objectives for the Nation for 1990 and some have already been met, e.g., smoke-free facilities, and age appropriate childhood immunization at 87 percent.

We have placed significant emphasis on health promotion and disease prevention (HP/DP) in all IHS areas. Each IHS Area Office has an HP/DP plan in effect. During FY 1987 a special national conference on health promotion and disease prevention was held in which Tribal leaders and the IHS exchanged ideas and plans for a healthy future.

The greatest impact on the overall health status of the American Indian and Alaska Native population will be achieved by promoting healthful life styles, instituting community injury control programs, and continuing the provision of disease prevention services. These advances require a different model of health care delivery than the "traditional" physician-patient relationship and success will be achieved, not by physicians, but by health educators, public health officers and nurses, and community health workers. Equally important, success will depend upon the degree to which each community makes a commitment to changing the life style of its members.

The IHS, in cooperation with Indian communities, has launched a multifaceted campaign to attack alcoholism and substance abuse. A major component of this campaign is prevention based upon education, especially of the young. In FY 1987, two regional treatment centers for the care of the young, were established: one at Tahlequah, Oklahoma and another at Acomita, New Mexico. Additional centers will be established in FY 1988.

The FY 1989 budget places a major emphasis on Indian self-determination. We are making every effort to smooth the process of initiating and expanding self-determination contracts. To convey the Administration's support for current and potential self-determination efforts, the FY 1989 budget has separately identified resources for tribally administered health programs. Recognizing that administrative overhead (also called "indirect costs") is a major concern to current and potential contractors, we have requested $2.5 million for tribal health administration.

In order to continue to strengthen the management of the IHS, we will continue to stress a blend of responsiveness, timeliness and quality in our relationships with the Tribes and Tribal organizations, the Congress and with other governmental agencies. We have instituted a number of efforts that we feel will enhance program management. An example is the continuation of the use and evaluation of a fiscal intermediary for payment of bills incurred as a result of the purchase of health care from private and other vendors. We are also continuing to evaluate and refine our method for the equitable allocation of resources among tribes and service units, with the goal of providing available health care resources directed at the area of greatest need.

We continue to establish and formalize relationships with non-Federal health organizations for the benefit of tribes. For example, our effort with the American Red Cross and local Red Cross chapters emphasizing health education about such subjects as human immunodeficiency virus (AIDS), will continue. It is expected that tribal communities will be strengthened by this relationship and have more resources available to their tribal members.

Another feature of the 1989 request is a proposed $2.5 million to assess and possibly offset the costs of relocating the IHS main headquarters to Albuquerque, New Mexico. We shall be reviewing the location of management personnel in relationship to service delivery sites and people to be served. This review will be conducted in cooperation with the Congress and tribal organizations prior to any final decision on relocation.

Mr. Chairman and members of the Committee, I will be pleased to answer any questions you may have on the specifics of the FY 1989 budget request.

STATEMENT ON THE PRESIDENT'S FISCAL YEAR 1988 BUDGET REQUEST FOR THE INDIAN HEALTH SERVICE

BY

EMERY A. JOHNSON, MD, MPH
Assistant Surgeon General, Retired
United States Public Health Service

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

FEBRUARY 25, 1988

I am pleased to appear before this committee to present my views on the President's Fiscal Year 1988 Budget Request for the Indian Health Service. Since my retirement as Director of the Indian Health Service (IHS) in 1981, I have continued to be actively involved with Indian health as a consultant to national and regional Indian organizations, Indian tribal governments and other organizations with interests in Indian health. My views are based on my past and present experience with the Indian health program and with tribal leaders, health staff (both IHS and tribal) and other experts in the field of health services delivery.

This committee through its oversight function has a vital role in assuring fair and equitable treatment of American Indian and Alaska Native people by the United States and in monitoring the activities of the Federal agencies in carrying out their responsibilities under Federal treaties and statutes. I believe that it is important to remember that it was the Congress, in 1954, that determined that the then status of Indian health was "appalling" and set us on the course we are on today. The Congress established the goal of elevating the health of Indians to the highest possible level -- to eliminate the disparity between the health status of Indians and that of the general United States population -- and selected the vehicle (the Indian Health Service) to carry out that Congressional mandate. Together, the Congress and IHS realized that success was ultimately dependent on the full participation of Indian communities and their leaders and, through sound policies, increased funding and appropriate legislation, established the partnership that has demonstrated such success.

It is now being recognized that truly remarkable progress has been made by the IHS and the tribal health programs in improving the health status of American Indians and Alaska Natives during the past three decades. Dr. Everett Rhoades, the Director of IHS, has provided details on some of the successes realized in improving the status of Indian health, as well as on those health problems that still remain an excessive burden to the people, in his statement to the committee. For those of us who practiced medicine in Indian communities in the 1950's, it seems almost unbelievable that the rates of mortality of Indian mothers and infants and gastroenteritus death rates are now less than those of the general United States population. Again, I want to commend Dr. Rhoades, the tribal leaders and their respective health staffs for the efforts they are making to provide efficient and effective health services to the Indian communities.

I believe that the record clearly demonstrates the wisdom of the decisions of the past and that, with the emphasis now being placed placed on health promotion/disease prevention activities, including the new initiatives in alcohol and drug abuse prevention, and the increasing assumption of responsibility for their health programs by Indian tribal governments, we can expect this progress to continue.

Management improvements have continued to play an important part in assuring the most appropriate utilization of limited resources. Especially important, in my view, have been the successful efforts to revitalize the consultation process between IHS and the tribal governments, the implementation of the Resource Allocation Methodology (RAM) to assure more equitable allocation of resources among the health programs serving the many tribes, the continued successful efforts by both IHS and the tribes in obtaining Joint Commission on Accreditation of Healthcare Organizations approval of their health facilities and the improvements in data management. These and other management efforts are important to control costs in a time of severe budget restraint and I have been impressed with the vigorous and cooperative effforts that are apparent both in IHS and in tribal health program management.

While there has been significant progress made in the implementation of the Indian Self-determination process during the past year, notably in providing for simplified contracting procedures and the provision of the Indian Self-determination Fund, I am concerned that, despite the best efforts of IHS and the tribes, the process is in some danger because of certain proposals in the proposed FY 1989 budget. I will identify those proposals in more detail later.

In reviewing the President's Fiscal Year 1989 Budget Request, I note a marked change from previous requests. The Administration has, in my view, made an effort to address several of the most serious problems facing Indian health and for this, they should be commended. The funding requests attempt to maintain the current levels of service, provide continued support for indirect costs and other tribal costs of operating their own health programs, no longer persist in eliminating vital Indian health activities such as the Community Health Representatives and the Urban Indian health programs, and accept the concept of assured base funding for Indian health services, both tribally-operated and those operated by IHS.

However, it is my view that the Administration's best efforts fall short again. In fact, when we review the proposed budget in more specific detail, I believe there are of serious problems that become apparent:

1) The proposed budget request would result in a reduced level of health services for Indian people:

This budget request will not permit the same level of health services to be provided to the Indian community. Granted the budget requests increases in the range of 4%, it is most unlikely that the inflation rate of medical care (which reflects in the real world what IHS and the tribal health programs will have to pay), will be in that range. Health care inflation rates in the range of 6-10% may be more realistic.

Examples of additional factors contributing to the projected shortfall include:

- the inevitable increase in population (Indians are one of the fastest growing populaton groups in the United States), the increase in the Indian aged (which, like all elderly, have the highest utilization of health services) and the addition of newly recognized Indian tribes will create more demand for services

- there are also "earmarked" funds that will further divert funds from essential health services; for example, the $2.5 million for "headquarters relocation" will not provide health services.

- providing the same level of funding for CHRs admittedly results in an almost 10% reduction in their important services.

- there is no evidence that I know of that supports the contention that Urban Indian Health programs are going to be able to collect another $1.5 million to offset the proposed reduction in their support from IHS. Many of their third-party sources of funding are also under pressure to control expeditures.

- it is my understanding that the Administration does not intend to support a supplemental appropriation this year; that will create another $6 million shortfall that will have to be carried forward into FY 1989.

- the proposal to divert $4 million from Medicare/Medicaid reimbursements to cover mandatory cost increases in Hospitals and Clinics and Contract Health Services (an action which is not permitted by the Indian Health Care Improvement Act - PL94-437) would only impede IHS and tribal efforts to improve the quality of Indian health services.

The net result of all these factors is a cumulative shortfall in the range of $35 million to maintain the current services level. That means that we can expect an actual decrease in available health services which will also be aggravated by an increased demand. I am sure that Dr. Rhoades, the Indian leaders and their staffs will make every effort to improve efficiency and economize as much as they can, but I doubt that they will be able to fully absorb the additional costs. If they cannot, Indian health will be at risk.

2) A continued policy of "deciding first, then consulting", which has been seen all too frequently in the Administration's Indian programs, may erode the essential partnership between the Federal government and the Indian tribal governments.

The Budget Request proposes changes in "appropriation language" which at first reading seem to be reasonable efforts to support more effective management and Indian self-determination, actually would appear to allow the Adminstration to restrict utilization of funds by IHS and the tribes throughout the Fiscal Year without having to propose either a "rescission" or a "deferral", and then to be able to propose using those funds to offset future years' appropriation requests. I refer specifically to the language changes that would provide that most Indian Health Services funds would be "available until expended" and which would combine the Indian Health Services Appropriation and the Indian Health Facilities Appropriation into a single appropriation act. There are many administrative methods that can be utilized to impede IHS and tribal obligation of funds; the record shows how those administrative obstacles were used to delay the construction of Indian health facilities at Sacaton, AZ and Rosebud, SD, for years. It required specific appropriation language by the Congress to overturn this subversion of the Budget Reform Act.

Another example is the language to extend the time available to expend reimbursements received from Medicare and Medicaid from two to three years. In each instance, the justification is that these changes will "improve efficiency"; I believe they will simply provide another opportunity for the Administration to "impound" funds without the burden of requesting "rescission" or "deferral".

Providing for separate line item appropriations for "Federal" and "Tribal Health Program" accounts, while purporting to ensure stable base funding for tribal programs, can also be used as a potential mechanism for coercing tribal governments to contract. If the funds in the "Tribal Health Program" account are overstated, there would be pressure on the tribes to contract in order to utilize these funds: at the same time, those tribes who had exersized their self-determination by requiring IHS to operate their health programs would find their services restricted. Before the Congress prohibited the imposition of personnel ceilings on IHS, these were sources of, in my opinion, unacceptable pressure on the tribes to contract for their health programs: this proposed appropriation structure has similar potential.

In summary, it is my view that the President's Fiscal Year 1988 Budget Request for the Indian Health Service, while exhibiting important positive initiatives, remains seriously deficient. To correct these, I would respectfully offer the following specific recommendations:

1) At the minimum, the health programs should be returned to the "current services" level. With the widely recognized deficiencies still remaining in the Indian health program and with many activities marginal at best, if at all possible, considertion should be given to modest increases in essential high priority services.

2) The level of funding necessary to adequately support tribal management of their health programs should be carefully considered. It is difficult to determine from the justification whether the budget request actually addresses the full requirement. My discussions with tribal leaders leads me to believe that the request is still deficient. I'm sure that IHS records would provide the answer and, if a shortfall remains, it should be eliminated if at all possible.

3) Consideration should be given to funding, at least in part, the "Indian Health Care Improvement Fund", for which an authorization for FY 1989 of $19 million is included in S.129. This not only would restore an effective process for continuing the efforts to achieve equity in funding Indian health programs but it would also provide a method for timely responce to the health needs of newly recognized tribes.

4) The "appropriation language" changes should be rejected. The potential for abuse is just too high to recommend them.

5) The Congress should direct the Admistration to cease its practise of "deciding first and consulting last". Rather, the coming months could be productively utilized in a concerted effort by IHS and the tribes to engage in effective consultation to explore proposals for change and opportunities for consensus. Only then should proposals for changes in "admistrative language" be presented in the President's Budget Request.

6) The modest Indian health facility and Indian Sanitation Facilities Construction program should be continued. While necessary changes in the Health Facilities Priority System are now being reviewed by the tribal governments, it does not seem wise to delay those projects which have already received intensive study and are ready to proceed. IHS should, however, be encouraged to proceed as promptly as possible to complete the consultation process with the tribes, obtain agreement and make the nation-wide revisions of the priority listing in time for the next budget cycle.

7) The proposal to relocate the IHS Headquarters to Albuquerque should be rejected and the $2.5 million budgeted for that purpose should be made available for health services. The consultation process recommended in Recommendation 5 would be appropriate to study the organization and management of IHS and the most appropriate relationships between Headquarters, the Areas and the Service Units in addition to any consideration of Headquarters location/s.

8) Although not a specific element in the President's Budget Request, the Congress should direct the Department of Health and Human Services to withdraw the highly controversial eligibility regulations and revisit the consultation process with the tribes on this issue.

History has demonstrated that real progress can be made in elevating the health status of American Indian and Alaska Native people through an effective partnership between the Federal and tribal governments and their respective health staffs. That investment in progress can, however, easily be lost if consistent and considered suppport is not maintained. Congress has demonstrated its understanding of and commitment to this goal ever since the transfer of the Indian health program to the Public Health Service in 1955. I am confident that this progress will continue.

I would be happy to answer any questions that you have for me.

TESTIMONY
to the
SENATE SELECT COMMITTEE ON INDIAN AFFAIRS
on the
FISCAL YEAR 1989 INDIAN HEALTH SERVICE BUDGET
on behalf of
THE AMERICAN INDIAN HEALTH CARE ASSOCIATION

Presented by: Bert Steeves, President, Chief Executive Officer
Hunter Health Clinic

on behalf of the

American Indian Health Care Association
245 East Sixth Street, Suite 487
St. Paul, Minnesota 55101
612/293-0233

DATE: February 25, 1988

TESTIMONY ON THE FISCAL YEAR 1989 INDIAN HEALTH SERVICE BUDGET
TITLE V - URBAN INDIAN HEALTH PROGRAMS

Presented by: The American Indian Health Care Association

Mr. Chairman, on behalf of the American Indian Health Care Association and the urban Indian health programs, I appreciate this opportunity to appear before you today to discuss the Fiscal Year 1989 Indian Health Service budget. In the past years, this Administration has not proposed realistic funding for Indian health services. I recognize and appreciate the support members of this Committee have given to Urban programs in the past. I request you continue that support by providing $14.5 million for Urban Indian Health Programs in Fiscal Year 1989. The American Indian Health Care Association supports the initial Indian Health Service budget estimates of approximately $1.5 billion for Fiscal Year 1989. We support full funding for the Community Health Representative Program.

We understand that the Administration's Fiscal Year 19 89 budget proposes a 10% decrease in funding for the Urban Indian Health Program. The Office of Management and Budget has recommended this decrease based upon the assumption that increased fee-for-service reimbursements will offset the decrease in funding. This is not an accurate assessment. Currently it would require a 36% increase in fee-for-service revenue next year to offset such a reduction. This is not likely when the urban Indian health programs experienced a 7% reduction in fee-for-service revenue last year, similar to other health care providers.

The Administration has proposed that Urban Indian Health Program be phased out. Their position was that urban Indian health programs are not needed because there are alternative sources of medical care for the patients that we serve. We who administer these programs know that these supposedly accessible health care resources simply do not exist. I wish to emphasize accessibility. In order for health care services to be accessible, they must not only be geographically near but they must also be culturally close. Clients must be willing to use the health care services if they are to benefit from them. The urban Indian health programs provide truly accessible health care services. We provide culturally sensitive health services to a population that has been historically overlooked by other health care delivery systems.

We understand that the Indian Health Service surveyed the various State and local health departments to determine the amount of additional funding support available to allow a federal phase out and that no additional support was available. Many of the metropolitan health care systems believe that Indian health care is a Federal responsibility. If the urban Indian health programs lose their funding, the urban Indian will "fall through the cracks." I urge you not to allow this to occur.

We request $14.5 million for the Urban Indian Health Program based upon:

1) $10.159 million as continued base funding;

2) $1 million for an AIDS education and prevention initiative;

3) $1 million for mental health services;

4) $1 million for a perinatal care initiative;

5) $1 million to increase services in existing urban Indian health programs; and,

6) $.341 million for the establishment of additional urban Indian health programs.

We are concerned that AIDS will become more evident in the urban population, and we believe that the spread of this disease can be prevented or stopped before it reaches back to the reservation. When an urban Indian is stricken with AIDS, they may return to his home on the reservation. We believe that the urban areas are the place to begin treatment through education and prevention.

Additional funding is requested for mental and behavioral health services. Not only do most Community Mental Health Centers lack the capacity to care for urban American Indians, they also do not have the cultural sensitivity to assist with the unique set of problems present in a culture that has been displaced and largely ignored.

While the Indian Health Service has documented a decline in infant mortality rate among American Indians, this data include only infant mortality in the IHS/Tribal service areas. Infant mortality among urban American Indians is not included. Infant mortality has been increasing in minority, low-income, populations. Several studies have documented the link between poverty and infant mortality or poor perinatal health. Since urban Indians are among the poorest population in the United States, there is no reason to assume that infant mortality is low. Infant mortality among reservation Indians was high until the Indian Health Service made a concerted and determined effort to deal with the problem. The urban Indian health programs have not had the funding available for such an effort.

The urban Indian health programs have continued to improve service delivery to American Indians. Nationally from 1983 to 1987 the urban Indian health programs have reduced administrative costs from over 23% to less than 20%. In the previous year, four of the urban Indian health programs have completed and received JCAH accreditation. Other programs are preparing for accreditation. The average cost last year nationally in the urban Indian health programs was less than $90 per medical user. The average cost per user has remained constant from 1983-1987 in spite of inflating medical care costs averaging over 7% per year.

Last year, the urban Indian health programs nationally exceeded the Indian Health Service evaluation productivity standards by 39%. The proportion of Indian patients to total patients far exceeds the proportion of Indian Health Service funds to total program costs nationally for the Urban Indian Health Program. It has been impossible for programs to increase services to meet demand during the last six years. During Fiscal Year 1987, the urban Indian health programs provided 146,000 outpatient medical visits; 62,000 outpatient dental visits; 117,000 community service outreach and referral direct visits; and 126,000 visits for health education, nutrition, mental health, optometry, substance abuse prevention and other professional allied health services. Programs have ample documentation demonstrating the need to provide increased levels and amounts of service.

Approximately one half of the urban American Indian population resides in urban areas without an urban Indian health program. There are presently eighteen such urban areas meeting the funding criteria in the regulations. As more of the Indian population moves to urban areas, the need becomes apparent for new programs to serve this population.

In addition, we recommend corrective language to include urban Indian health programs in P.L. 99- 570, the Omnibus Drug and Alcohol Bill. The regulations governing the administration and enforcement of this bill do not include urban Indian health programs as presently interpreted. The problems of substance abuse and its effects do not respect reservation boundaries. A coordinated effort, including the urban Indian health programs, will prove most effective.

We believe that the implementation of the eligibility regulations should be further studied to determine and clarify the impact of such regulations on urban Indians. It is our understanding that the eligibility regulations do not apply to urban Indians and should not be used in decisions affecting the urban Indian health programs.

We realize that the current system of providing funding for urban Indian health programs on a "historical" basis is tenuous. We support a rational method for allocating monies. In the past, the American Indian Health Care Association has provided data and preliminary resource allocation methods to the Operations Analysis Task Force on Urban Reprogramming and to the Indian Health Service. We will continue to support the development and implementation of a rational allocation method. Having such a rational allocation method is important not only in allocating Title V funds but for allocating funds under the proposed Clinical Staffing Bill.

Mr. Chairman, American Indian and Alaskan Native people have always been a mobile population. Indians residing in urban areas maintain strong ties with their tribes and mirror the same low health status of their reservation cousins. A move to the city does not eliminate serious health, educational, economic and social conditions. To ignore the urban Indian population is to abandon the national goal established in the Indian Health Care Improvement Act, "...of providing the highest possible health status to Indians...". I believe that this goal is achievable and that the health status of urban Indians can be on a parity with the rest of the American population. We thank you for your continued support and asked for your renewed commitment to this national goal through the inclusion of $14.5 million for the Urban Indian Health Program in Fiscal Year 1989.

Thank-you.

FACT SHEET

URBAN INDIAN HEALTH PROGRAMS

February, 1988

There are thirty-three Urban Indian Health Programs (UIHP) funded under Title V of the Indian Health Care Improvement Act. In addition, two demonstration projects are funded through Indian Health Service (IHS) Hospitals and Clinical Services. Locations of the urban Indian health programs are printed on the reverse of this sheet.

Fiscal Year 1987 IHS support of UIHPs is $9.624 million, less the Arizona assessment study for $200,000.

During Fiscal Year 1987, 451,000 encounters were provided. These encounters were provided in the following categories:

Provider category	Number of encounters
Outpatient Medical Visits	146,000
Outpatient Dental Visits	62,000
Community Service Outreach and Referral Direct Visits	117,000
Health Education, Nutrition, Mental Health, Optometry, Substance Abuse, Other Professional Allied Health Services	126,000

Number of program staff ranges from three persons providing community health services to over one hundred persons offering all the services shown above.

There are only three states which fund Urban Indian Health: Michigan, Minnesota, and California. Michigan funds one Community Health Representative position. Minnesota provides $350,000 for a two-year period, which is granted to four county health departments, who then subcontract with various programs (not all Indian Health clinics) for services. California funding, only for programs in existence prior to 1978, is supplemental to and contingent upon continued IHS support. Attempts for Indian health legislation in other states have been unsuccessful.

There is a feeling among many in state government that the health of the Indian people is a responsibility of the federal government. State grants are highly competitive and with diminishing state dollars, it is extremely difficult for organizations outside the traditional state--county--city health department system to get funding. While several UIHPs receive state monies for Women, Infants, and Children Supplemental Feeding Program (WIC), and Maternal Child Health (MCH), these funds are very specifically targeted and cannot be used to offset IHS funding.

Continuing IHS funding is essential for the very existence of Urban Indian Health Programs.

URBAN INDIAN HEALTH PROGRAMS
PROGRAM LOCATIONS

Urban Indian Health Programs are located in the following major metropolitan areas having large populations of American Indians:

State	Urban Indian Health Program Location
Arizona	Phoenix Tucson
California	Bakersfield Clovis (Fresno area) Compton (Los Angeles area) Sacramento San Diego San Francisco San Jose Santa Barbara
Colorado	Denver
Illinois	Chicago
Kansas	Wichita
Massachusetts	Jamaica Plains (Boston area)
Michigan	Detroit
Minnesota	Minneapolis
Montana	Billings Butte Great Falls Helena Missoula
Nebraska	Omaha
Nevada	Reno
New Mexico	Albuquerque
New York	New York City
Oklahoma (Demonstration Projects)	Oklahoma City Tulsa
Oregon	Portland
South Dakota	Pierre
Texas	Dallas
Utah	Salt Lake City
Washington	Seattle Spokane
Wisconsin	Green Bay Milwaukee

Statement of the Honorable Ross O. Swimmer

Assistant Secretary - Indian Affairs

before the

Select Committee on Indian Affairs

United States Senate

February 25, 1988

I appreciate the opportunity to appear before you to support the fiscal year 1989 budget request for the Bureau of Indian Affairs. The total request for the BIA is $1,420,843,000, of which $1,026,207,000 requires annual appropriations authority and $394,636,000 represents permanent appropriations and tribal trust funds. For appropriated funds, this represents a decrease of $45,199,000 below enacted appropriations for fiscal year 1988.

Within the overall spending constraints facing the federal government, I believe that the budget equitably addresses the numerous areas of Bureau responsibility. Increases are requested in selected programs ranging from education to social services to road maintenance to data processing. It is notable that the request for the Bureau's major account, Operation of Indian Programs, is $28 million higher than the request presented to Congress for fiscal year 1988. Likewise, in fiscal year 1988, the budget proposed rescission of some $22 million in construction funds appropriated the prior year. No rescission requests accompany this budget.

Highlights of the Fiscal Year 1989 Budget

The major Bureau initiative in fiscal year 1989 has no additional funds accompanying it: just bill language to allow ten tribes to use funds they receive from the Bureau to meet locally-determined needs, even if those needs do not fit neatly into an existing line-item of the budget. This will be a test for the Bureau, the tribes, and the Congress to determine if we are willing to put real meaning into the term "self-determination." The Bureau will be providing periodic reports to the Congress on the progress of the planning process during this year. The language requested with the FY 1989 budget would allow for the actual implementation of this demonstration project next year. We hope that this Committee and the others with an interest in Indian affairs, will resist efforts to over-regulate this effort or to exclude from local budgets funds provided for some programs due to competing interests.

A number of other tribes, in addition to the ten with whom we're working this year, have expressed an interest in being included in this program and we would support expansion of this demonstration project to additional tribes with a fiscal year 1990 implementation date.

Education

A comprehensive report on the condition of BIA education has been prepared. This document should provide an excellent foundation for serious discussions concerning the direction this program should take in the future. A great deal of statistical data has been gathered on virtually all facets of elementary and secondary education: enrollment trends, test scores, teachers' salaries, distribution of funds among instructional costs, administrative costs, facility costs, and a host of other material subdivided by schools operated by the Bureau, those operated under contract, and public schools.

In an effort to address some of the findings of the report, the Bureau is proposing to implement an "effective schools" process. As a part of this process several special projects have been identified in education for the coming year. To provide more up-to-date textbooks, $300,000 is requested. The gifted and talented program will be expanded from a demonstration effort to one of bureauwide applicability. An increase of $500,000 is provided for additional training of staff who work in the schools and dormitories. And, though the reports indicate that overall there are serious shortcomings in our educational system, there are notable exceptions. With a request of $450,000, the Bureau plans to use part of the money to reward those schools which have exemplary programs and to use the remainder of the funds to pair exemplary schools with schools having identified problems to attempt to upgrade the quality of education we are providing to children in schools funded by the Bureau.

Tribal Services

In the area of tribal services, the 1989 budget proposes two new programs and an expansion of a third. Funds are requested to establish an Institute for Tribal Governments in conjunction with some existing institution of higher education. This institute will provide training and technical assistance for tribal leaders and staff and for Bureau personnel in the areas of government operations, Indian law, program management, and conflict resolution.

To better focus attention on the important role of tribal courts, we have proposed establishing a Center for Judicial Services which will provide support and technical assistance to field personnel and those working in tribal judicial systems. The Center will function as a field office to develop and conduct programs for continuing education and training for court personnel. The center will also compile data concerning court activities, develop caseload statistics, and serve as an information and resource center.

The problem of child abuse and neglect has gained much national attention in recent years. Indian reservations are not immune from these problems, and, in fact, can be more at risk if the reservation is beset with problems of very high unemployment and alcohol abuse. The budget request includes an increase of $1.4 million which will be used to hire additional social workers and to provide better staff training to alert social workers to the signs of neglect and abuse. The staffing distribution will be determined using standards that have been developed by the states on the appropriate client to social worker ratio.

The budget proposes reductions in the amount available for general assistance (GA) payments. Reviews indicate that we continue to experience a high error rate in certification of eligibility and in the area of overpayments. The quality control staff conducted 30 reviews in 1987. As a follow-up to these reviews, corrective actions have been taken. We anticipate that these measures, along with continued monitoring, will reduce program costs without reducing benefits to those who are eligible for assistance.

It has come to our attention that differing interpretations are being given to the per capita and judgment award payments which can be disregarded as income for the purpose of determining eligibility for general assistance and other benefits. As the differing interpretations exist among several federal agencies (Agriculture, Housing and Urban Development, Veterans Administration, and Health and Human Services), separate legislation will be proposed to clarify the current income disregard provisions.

Existing Bureau regulations provide for a three-year period during which time lease income would not be pro-rated over a 12-month period in determining available income when making a finding of general assistance eligibility. That three year period expires at the end of the current fiscal year. It is, therefore, anticipated that this, too, will contribute to a decline in the general assistance requirements as pro-ration of the lease income will increase the monthly income that is counted as available to the household in eligibility determinations.

In order to improve the employability of general assistance recipients, the Bureau has sought reprogramming of funds in the current year to implement the Employment Assistance Readiness Net demonstration project for six tribally contracted GA programs and for two which are Bureau-operated. Funds in the amount of $2 million are requested in the budget to support the second year of a planned three year project. It is hoped that the information gained from these efforts will provide a basis for redirection of Bureau programs in future years to move individuals from dependency on a welfare program to economic self-sufficiency.

Economic Development

The budget request includes an increase of $6.7 million for maintenance of roads constructed with Highway Trust funds. There is a small decrease of $432,000 for maintenance of other roads. An audit report issued by the Inspector General last December found that the current procedure of allocating road maintenance funds based on tribal priorities was deficient and that changes were required to protect the federal government's investment in reservation roads and highways which would cost an estimated $2 billion to replace.

Based on tribal priority setting, funding available for road maintenance in 1986 ranged from $588 to $2,151 for each mile of road. While some variation is reasonable based on the types of road, climate, and traffic patterns, the IG found that such differences accounted for only a portion of the disparities in funding levels.

Without adequate road maintenance, a greater proportion of funds available from the Highway Trust Fund would have to be spent in reconstructing existing roads, rather than expanding the reservation road network. During the past four years, for example, the Bureau constructed 1,771 miles of road, yet added only 217 miles to our inventory of paved roads -- the rest of the construction was reconstruction required because of inadequate maintenance.

For these reasons and others contained in the Inspector General's audit, we are seeking increased appropriations and have requested that road maintenance be taken off the Indian Priority System so that more adequate maintenance can be performed in all areas.

One major decrease proposed for the Bureau is the deletion of $7 million in the Indian Business Development Grant program. BIA will increase funds for technical assistance to assist tribes and individuals in applying for private sector loans. The loan guaranty program will also be increased to support loans of

$11.5 million above the FY 1988 level. This program is open to both tribes and individuals and requires no "in kind" or "matching" funds funds as leverage.

Natural Resources

Under natural resources, additional funds are requested to continue development of the Indian Integrated Resources Inventory Program. This system provides tribal and bureau resource managers with accurate and timely information on the extent, distribution and quality of natural resources for use in making realistic and effective resource management decisions. Data bases have been developed for 73 reservations in seven areas. The concept uses spatial data analysis, remote sensing and existing BIA data systems to provide a systematic approach to natural resources planning and management on Indian lands.

Tribes are taking an increasing interest in agriculture programs, evidenced by the recent establishment of the Intertribal Agriculture Council and a $380,000 increase in the tribe/agency portion of the budget for agriculture. To supplement local efforts, the Bureau is requesting $700,000 to establish agriculture technical assistance centers to assist Indian farmers and ranchers in the areas of agribusiness development, soil conservation, range management, and related activities.

According to a report prepared by the National Indian Agricultural Working Group, agriculture is the leading source of private sector enterprise in Indian country today, with agriculture production on Indian lands valued at more than twice that of all other natural resources combined. In recent years, however, Indian use of Indian lands for agriculture has dropped rapidly and thousands of acres of land are in danger of foreclosure through default. We hope to start to reverse these trends through advice and assistance that can be provided by the technical assistance centers.

The budget transfers the source of funds from the U.S. Fish and Wildlife Service to the Bureau for the hatcheries and technical assistance centers which Congress transferred to FWS in FY 1988. It is our feeling that we can better assist the affected tribes to develop the capabilities for those tribes to contract for these programs if the the funding source remains in the Bureau. FWS will continue to operate the facilities.

Trust Responsibilities

Increased resources are requested for the Land Records Improvement project which will allow the bureau to complete the examination and verification of the backlog of titles and possibly to complete the microfilming of non-cartographic records. During this year and next we will also be giving consideration to the establishment of a single, national titles and records office for the Bureau.

Land ownership and title information is the basic necessity for many essential Bureau programs such as forestry, agriculture, range, administration, minerals, and leasing. It is used for the distribution of income from oil and gas leases and is required for probate activities and estate distributions.

During fiscal year 1988 the Bureau anticipates that it will select a contractor to improve cash collection and disbursement of trust funds and to improve account reporting to tribes and individual account holders. Funds are requested in fiscal year 1989 for the expected annualized cost of the contract.

Management and Administration

The Department's current schedule for establishing a uniform accounting and payments system calls for the Bureau to convert its operations to the new system by the beginning of the 1990 fiscal year. A total of $1 million is requested in preparation for this conversion which will require training, analysis and documentation of Bureau procedures, and a number of other tasks associated with the system implementation requirements.

Automatic Data Processing

To improve data management and services to the field, the Bureau is embarking on a two-year effort to convert the existing six Information Management Centers to 12 field service centers, each of which will be co-located with an area office. This will substantially enhance the timeliness of reporting and financial information provided to those areas which now must rely on a different office for ADP services. Six Field Service Centers would be established in FY 1989 with the remaining six scheduled for the following year.

Construction

Funds are requested to build a replacement for the St. Francis Indian High School in South Dakota. This will replace the current facilities which are approximately 70 years old. The major portion of the funds requested for facility improvement and repair will continue to be used to address needed work on Bureau schools. The FY 1989 Facilities Improvement and Repair list is being included in the budget justification material, allowing a much earlier review of projected repairs than in prior years.

Based on the Department-wide priorities established by the Dam Safety Task Force, the Bureau has requested $5.5 million to continue work on dams located on reservation lands.

Guaranteed Loans

Based on the Federal Credit Reform proposal, which will be formally transmitted to Congress by the Administration in the near future, funds are requested to support a total Guaranteed Loan program of $45 million, an increase of $11.5 million over the Bureau's 1988 loan program. This program is available to tribes and individuals and has proven to be more economically efficient than the grant mechanism in encouraging reservation economic development.

Conclusion

The foregoing is a brief overview of the fiscal year 1989 budget request for the Bureau of Indian Affairs. While it would be convenient if we were able to provide a single-sentence synopsis of the thrust of this budget, it is not possible. The responsibilities of the Bureau are many and varied and we have attempted to distribute available resources in a manner that will allow us to meet a number of goals and objectives. I will be pleased to respond to questions from the members of the Committee.

North American Aboriginal Population
at Time of European "Discovery"

The following letter and selected bibliography provided to the Bureau of Indian Affairs by the Smithsonian Institution indicates that there is little agreement among historians and anthropologists on the population of Native Americans in the fifteenth century.

National Museum of Natural History · Smithsonian Institution
WASHINGTON, D.C. 20560 · TEL. 202· 357-1861

Dr. C. Marino
March 2, 1988

Linda Richardson
Bureau of Indian Affairs
MS 4616
Washington, DC 20240

Dear Mrs. Richardson:

Thank you for sending us copy of the 1987 Estimates of Resident Indian Population that will be very useful to us in our work on the next Handbook volumes.

As for your request of information on the (estimated) aboriginal population in North America (USA and Canada) at the eve of European "discovery" I have listed below a short bibliography of works that deal specifically with this issue. I wish to emphasize that the "aboriginal Native American population" issue continues to be a subject of great controversy among anthropologists, historians and other scientists who are still far from having reached a consensus on this matter. A thorough discussion of the aboriginal Indian population will be presented in Vol. 3 "Environment, Origins and Population" of our Handbook series, based on extensive research conducted by Dr. Ubelaker of the Smithsonian Institution. In the meantime, the following published sources give an indication of the wide range of estimates and the disagreement surrounding the problem; estimates, low to high, include:

Authors

	Mooney (1928)	Ubelaker (1976)	Denevan (1976) / Dobyns (1966)
Popul.	1,153,000	2,171,000	4,400,000 / 9,800,000-12,250,000

Kroeber(1939:166) gave a low estimate of 900,000; recently Thornton (1987:32) gave a "conservative total of 7+ million for the area [US, Canada, incl. Alaska and Greenland] north of Mexico".

If there are any additional questions, feel free to contact me.

(see attached bibl.)

Regards,

C. Marino

C. Marino

Estimates of Aboriginal Population in North America at the Eve of European Arrival (circa 1500)

Selected Bibliography:

Denevan, William M., ed.
1976 The Native Population of the Americas in 1492.
Madison, Wis.: The University of Wisconsin Press.

Dobyns, Henry F.
1966 Estimating Aboriginal American Population: An Appraisal of Techniques with a New Hemispheric Estimate.
Current Anthropology 7(4):395-416.

1976 Native American Historical Demography: A Critical Bibliography.
(The Newberry Library Center for the History of the American Indian, Bibliographical Series)
Bloomington: Indiana University Press.

1983 Their Numbers Became Thinned: Native American Population Dynamics in Eastern North America.
Knoxville: The University of Tennessee Press.

Kroeber, Alfred L.
1939 Cultural and Natural Areas of Native North America.
Berkeley: University of California Press.

Mooney, James
1928 The Aboriginal Population of America North of Mexico.
Smithsonian Miscellaneous Collections 80:1-40

[For a critical review of Mooney's estimates see Ubelaker 1976]

Thornton, Russell
1987 American Indian Holocaust and Survival: A Population History Since 1492. Norman: University of Oklahoma Press. [Excellent]

Ubelaker, Douglas H.
1976 The Sources and Methodology for Mooney's Estimates of North American Indian Populations. Pp. 243-288 in The Native Population of the Americas in 1492. W.M. Denevan, ed. Madison: The University of Wisconsin Press.

[forthcoming] [General Population Profiles; Historical Demography] to appear in *Handbook of North American Indians* Vol. 3 "Environment, Origins, and Population". Richard I. Ford, vol. ed. William C. Sturtevant, gen. ed. Washington: Smithsonian Institution.

(All of the above works contain population charts, tables and extensive bibliographic references)

CM

Tribally Controlled Community Colleges

The following reports were submitted by the Colleges in 1987 and display the percentage of the colleges' total budgets which are met through the Tribally Controlled Community College Grant program.

INCOME

V. Sources of Revenue - Current FY 87

P.L.99-428 Grant Award	$ 256,700
Title III Higher Education Act of 1965	
Indian Monies Proceeds from Labor (IMPL)	
Tribal Grants	
Public Law 95-638	590,700
Vocational Education	
Student Tuition and Fees	
Adult Education	3,572
Developing Institutional	
Others, Endowments, Gifts, etc.	208,569
Technical Assistance (P.L. 99-428)	
TOTAL	$ 1,059,541

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 24%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 1986 - 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$
Research	3,600
Athletics	1,294
Community Services	
Student Services	74,668
Institutional Administration	4,819
Physical Plant Operation	17,434
Student Financial Support	
Satellite/Extension Program	
Technical Assistance	
Others (list) Library Acquisitions	9,229
TOTAL	$ 111,044

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 18,395
	Support Staff wages	1,644
	Faculty	25,159
Burden:	Direct Labor Fringe Benefits	24,028
	Supplies	47,869
	Dues and Subscriptions	
	Leases/Rentals	
	Telephone	12,515

DK

Utilities		
Insurance		
Facilities		
Other Advertising		9,328
Travel: Transportation, Per Diem/Subsistence		6,718
Consultants and Audit:		
Grand Total	$	256,700

VII. What is the Cost of Attendance at your College:

Tuition	$	615.00
Board and Room		2,285.00
Transportation		350.00
Text Books		400.00
Supplies		
Personal		475.00
Other		
TOTAL	$	4,125.00

VIII. Describe the overall institution, problems or issues to which the report address.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

INCOME

D.Q.

V. Sources of Revenue -- Current FY 87

P.L. 99-428 Grant Award	$ 297,956.06
Title III Higher Education Act of 1965	598,475.00
Indian Monies Proceeds from Labor (IMPL)	
Tribal Grants	
Public Law 95-638	
Vocational Education	
Student Tuition and Fees	163,982.20
Adult Education	
Developing Institutional	62,891.94
Others, Endowments, Gifts, etc.	
Technical Assistance (P.L. 99-428)	
TOTAL	$ 1,123,305.20

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 26.5

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 19 86 - 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 3,840.55
Research	
Athletics	
Community Services	
Student Services	2,591.12
Institutional Administration	2,336.85
Physical Plant Operation	
Student Financial Support	
Satellite/Extension Program	
Technical Assistance	
Others (list)	
TOTAL	$ 8,768.52

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 90,793.44
	Support Staff wages	86,298.58
	Faculty	800.00
Burden:	Direct Labor Fringe Benefits	20,754.33
	Supplies	2,336.86
	Dues and Subscriptions	
	Leases/Rentals	248.42
	Telephone	11,415 94

DQ.

Utilities	13.553 69
Insurance	7,391 50
Facilities	11,556.06
Other	31.48
Travel: Transportation, Per Diem/Subsistence	8,317.91
Consultants and Audit:	36,489.33
Grand Total	$ 298,756.06

VII. What is the Cost of Attendance at your College:

Tuition	$ 3 040
Board and Room	2 849
Transportation	316
Text Books	175
Supplies	
Personal	385
Other	494
TOTAL	$ 7,259.00

VIII. Describe the overall institution, problems or issues to which the report address.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

LACourte Oreilles

INCOME

V. Sources of Revenue - Current FY 87

P.L. 99-428 Grant Award	$ 195,591.00
Title III Higher Education Act of 1965	
Indian Monies Proceeds from Labor (IMPL)	
Tribal Grants	
Public Law 95-638	
Vocational Education	
Student Tuition and Fees	8,316.50
Adult Education	
Developing Institutional	
Others, Endowments, Gifts, etc.	4,766.73
Technical Assistance (P.L. 99-428)	
TOTAL	$ 208,674.23

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 90%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 1986 - 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 6,669.58
Research	
Athletics	
Community Services	2,037.69
Student Services	2,768.02
Institutional Administration	
Physical Plant Operation	11,840.77
Student Financial Support	
Satellite/Extension Program	
Technical Assistance	956.46
Others (list)	
TOTAL	$24,272.52

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 72,368.02
	Support Staff wages	11,017.14
	Faculty	40,717.97
Burden:	Direct Labor Fringe Benefits	17,923.00
	Supplies	15,558.52
	Dues and Subscriptions	1,582.50
	Leases/Rentals	3,518.94
	Telephone	3,222.97

LacC

Utilities	4,226.54
Insurance	2,693.17
Facilities	4,391.26
Other	14,716.97
Travel: Transportation, Per Diem/Subsistence	12,775.19
Consultants and Audit:	1,250.00
Grand Total	$205,962.19

VII. What is the Cost of Attendance at your College:

Tuition	$ 300.00 $25.00 per credit
Board and Room	NA
Transportation	75.00 per quarter
Text Books	60.00 per quarter
Supplies	10.00 " "
Personal	30.00 Recreation
Other	25.00 hardship
TOTAL	$ 500.00 (above, Indian students not charged)

VIII. Describe the overall institution, problems or issues to which the report address.

Since we have only recently received our candidacy for accreditation, there-by, only recently being qualified to apply for a complete financial aid system, the main problem we are experiencing at this date is an extreme lack of funding. This naturally results in a shortage of administrative staff and adequate money for books and other supplies just to name a few.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

This school has a credit transfer agreement with more than three accredited colleges or universities. Enclosed documentation verifies this. This school provides classes in basic education, (i.e., Basic English and Basic Math) for students who do not possess a high school diploma, or a GED.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

The facilities at this school are quite limited. Because of limited space and competent instructor availability, many of our classes must be held at night. Limited monies available for administrative staff, makes night class supervision very difficult. As far as cleaning and maintenance, we are often succumed to having people on RNIP (Relief to Needy Indian People) work out their hours in this fashion.

NAVAJO COMMUNITY COLLEGE

INCOME

V. Sources of Revenue - Current FY ____

P.L. 99-428 Grant Award	$ 3,813,000
Title III Higher Education Act of 1965	154,270
Indian Monies Proceeds from Labor (IMPL)	0
Tribal Grants	2,400,000
Public Law 95-638	0
Vocational Education	242,326
Student Tuition and Fees	309,830
Adult Education	0
Developing Institutional	0
Others, Endowments, Gifts, etc.	1,860,398
Technical Assistance (P.L. 99-428)	
TOTAL	$ 8,779,824

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 43.4%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 19 86-87 using Public Law 99-428 monies:

	P.L. 99-428
Instruction (Exclude Personnel)	$ (352,657)
Research	0
Athletics	0
Community Services	0
Student Services	305,587
Institutional Administration	396,854
Physical Plant Operation	505,420
Student Financial Support	106,671
Satellite/Extension Program	0
Technical Assistance	0
Others (list)Academic Support	904,749
Instruction (include Personnel)	2,095,356
TOTAL	$ 4,317,637

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 222.884
	Support Staff wages	1,233,780
	Faculty	1,742,699
Burden:	Direct Labor Fringe Benefits	483,464
	Supplies	187,669
	Dues and Subscriptions	22,618
	Leases/Rentals	20,757
	Telephone	15,712

NAV

Utilities	$ 10,070
Insurance	0
Facilities	25,152
Other	352,822
Travel: Transportation, Per Diem/Subsistence	318,078
Consultants and Audit:	96,907
Grand Total	$ 4,317,637

VII. What is the Cost of Attendance at your College:

Tuition	$ 380.00
Board and Room	2,620.00
Transportation	400.00
Text Books	450.00
Supplies	
Personal	1,050.00
Other	
TOTAL	$ 4,900.00

VIII. Describe the overall institution, problems or issues to which the report address.

The overall institution problem which has plagued the College in the last ten years is the continuous unstable funding. The College operating budget is developed in April of each year and a new fiscal year begins July of each year. (See the Report for 1985-1986) However, the major two funding sources, the Navajo Tribe and the Federal Government do not approve their budgetary authorization

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

Facility both at Tsaile and Shiprock campuses are deteriorating. Numberous reports have been filed with Bureau of Indian Affairs Education and the House and Senate Appropriation Committees on the facility needs. Attached is renovation and repair needs only on the Tsaile campus (Attachment A). The Shiprock Campus Facility needs for repairs have been determined in excess of $2 million by the engineers used by the Bureau of Indian Affairs. Numberous reports on the condition of the facility and request for funds to address this need have been submitted without even an acknowledgement.

OGL Oglala

INCOME

V. Sources of Revenue - Current FY 87

P.L. 99-428 Grant Award	$ 1.191.026
Title III Higher Education Act of 1965	410.498
Indian Monies Proceeds from Labor (IMPL)	--
Tribal Grants	--
Public Law 95-638	455.765
Vocational Education	497.727
Student Tuition and Fees	454.000
Adult Education	156.150
Developing Institutional	--
Others, Endowments, Gifts, etc.	503.478
Technical Assistance (P.L. 99-428)	11,574
TOTAL	$ 3.680.218

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 33

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 19 86 - 87 * using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 488,231
Research	-0-
Athletics	-0-
Community Services	20,630
Student Services	323,814
Institutional Administration	178,825
Physical Plant Operation	128,200
Student Financial Support	-0-
Satellite/Extension Program	-0-
Technical Assistance	11,500
Others (list) Public Relations	39,000
Development	12,400
TOTAL	$ 1,202,600

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 59,844
	Support Staff wages	346,121
	Faculty	341,786
Burden:	Direct Labor Fringe Benefits	135,375
	Supplies	14,450
	Dues and Subscriptions	5,000
	Leases/Rentals	--
	Telephone	12,000

* These figures are unaudited estimates. The second part of Section VI is confusing and should be changed.

OL

Utilities	45,000
Insurance	--
Facilities	--
Other	202,024
Travel: Transportation, Per Diem/Subsistence	32,000
Consultants and Audit:	2,000
Grand Total	$ 1,202,600

VII. What is the Cost of Attendance at your College:

Tuition	$ 600
Board and Room	3,375 (no dorms)
Transportation	800
Text Books	200
Supplies	--
Personal	900
Other	90
TOTAL	$ 5,965

VIII. Describe the overall institution, problems or issues to which the report address.

The major problems that Oglala Lakota College has are:

a. lack of adequate base funding - $2,500 per FTE vs at least $3,000 to $3,500 needed.

b. lack of funding for construction.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

See attached Self Study.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

Oglala Lakota College has surveyed facilities and identified the following key needs:

1. Learning Resource Center - $26,000 sq. ft. - $1.8 million
2. District Centers - 9 at $100,000 each.
3. Staff housing - 10 at $50,000
4. Health and Wellness Facility.

Salish Kootenai

INCOME

V. Sources of Revenue - Current FY 87

P.L. 99-428 Grant Award	$ 693,700.00
Title III Higher Education Act of 1965	-0-
Indian Monies Proceeds from Labor (IMPL)	-0-
Tribal Grants	-0-
Public Law 95-638	-0-
Vocational Education	302,991.00
Student Tuition and Fees	148,744.00
Adult Education	
Developing Institutional	-0-
Others, Endowments, Gifts, etc.	-0-
Technical Assistance (P.L. 99-428)	
TOTAL	$ 1,381,459.00

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 50%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 1986 - 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 90,598.00
Research	29,110.00
Athletics	-0-
Community Services	-0-
Student Services	29,452.00
Institutional Administration	
Physical Plant Operation	33,477.00
Student Financial Support	37,775.00
Satellite/Extension Program	-0-
Technical Assistance	-0-
Others (list)	
TOTAL	$ 220,412.00

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 46,049.00
	Support Staff wages	104,241.00
	Faculty	130,446.00
Burden:	Direct Labor Fringe Benefits	51,926.00
	Supplies	19,704.00
	Dues and Subscriptions	5,200.00
	Leases/Rentals	22,482.00
	Telephone	18,000.00

SALISH

Utilities	24,340.00
Insurance	9,200.00
Facilities	
Other	
Travel: Transportation, Per Diem/Subsistence	24,400.00
Consultants and Audit:	17,300.00
Grand Total	$693,700.00

VII. What is the Cost of Attendance at your College:

Tuition	$ 1,083.00
Board and Room	3,150.00 *(Independent Living)*
Transportation	750.00
Text Books	200.00
Supplies	200.00
Personal	600.00
Other	*1000 1st child 500 ea. additior*
TOTAL	$ 5,983.00

VIII. Describe the overall institution, problems or issues to which the report address.

The college had a considerable increase in enrollment that really strained the budget to accommodate the demand of the increased enrollment. It is difficult to plan for this year as we have no idea of our enrollment.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

The intended product of the grant was to serve the Indians residing on our reservation. The grant helped to do this, over 500 Indian people were served each quarter last year. Our average Indian FTE was 272 which was a 28% increase over the previous year.

X. **Describe facilities** and maintenance; attach descriptions, or recommendations **if needed.**

We spent considerable funds on facilities. We installed a water system to irrigate with and serve as a back-up water supply. We did quite a bit of rennovation in order to develop the facilities for the increased student load. I have enclosed a brochure of our college that pictures our main facilities.

Sinte Gleska

INCOME

V. Sources of Revenue - Current FY '87

P.L. 99-428 Grant Award	$ 699,900.00
Title III Higher Education Act of 1965	170,489.66
Indian Monies Proceeds from Labor (IMPL)	-0-
Tribal Grants	-0-
Public Law 95-638	191,140.98
Vocational Education	131,308.05
Student Tuition and Fees	352,831.67
Adult Education	49,647.86
Developing Institutional	-0-
Others, Endowments, Gifts, etc.	30,989.00
Technical Assistance (P.L. 99-428)	8,700.00
TOTAL	$ 1,635,007.22

What is the total percentage of Public Law 99-428 Funding compared with all other sources? ~~$~~- 43.3%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 1986 - 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 65,078.33
Research	-0-
Athletics	-0-
Community Services	3,221.91
Student Services	60,797.28
Institutional Administration	*219,848.09
Physical Plant Operation	81,095.77
Student Financial Support	-0-
Satellite/Extension Program	-0-
Technical Assistance	10,000.00
Others (list)	-0-
*Includes Academic Administration	
TOTAL	$ 440,041.38

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 40,248.25
	Support Staff wages	156,027.08
	Faculty	269,858.62
Burden:	Direct Labor Fringe Benefits	51,330.74
	Supplies	16,430.59
	Dues and Subscriptions	8,078.25
	Leases/Rentals	8,575.23
	Telephone	24,323.17

Sinte

Utilities	20,932.78
Insurance	-0-
Facilities	354.65
Other	37,709.14
Travel: Transportation, Per Diem/Subsistence	42,445.88
Consultants and Audit:	33,585.62
Grand Total	$ 709,900.00

VII. What is the Cost of Attendance at your College:

Tuition	$ 1,068.00
Board and Room	3,240.00
Transportation	480.00
Text Books	200.00
Supplies	
Personal	400.00
Other (Allowance of $563.00 per dependent child per semester).	
TOTAL	$ 5,388.00

VIII. Describe the overall institution, problems or issues to which the report address.

Sinte Gleska College was established by the Rosebud Sioux Tribe in 1971 as a tribally chartered higher education institution to design and deliver appropriate programs, services and opportunities on the Rosebud Reservation. Inherent in this charter is the responsibility to address the unique educational needs of the Lakota people and to help determine the future direction of the Rosebud Sioux Tribe.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

Tribal College funding at Sinte Gleska College is used "to defray expenditures for academic, educational and administrative purposes and for the operation and maintenance of the college.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

SEE ATTACHMENT X.

SISSETON

INCOME

V. Sources of Revenue - Current FY 87

P.L. 99-428 Grant Award	$ 218,700
Title III Higher Education Act of 1965	
Indian Monies Proceeds from Labor (IMPL)	
Tribal Grants	
Public Law 95-638	
Vocational Education	
Student Tuition and Fees	141,228
Adult Education	16,190
Developing Institutional	74,967
Others, Endowments, Gifts, etc.	4,700
Technical Assistance (P.L. 99-428)	
TOTAL	$ 455,785

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 47%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 1986 - 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 19,824
Research	
Athletics	1,678
Community Services	
Student Services	48,070
Institutional Administration	104,136
Physical Plant Operation	43,102
Student Financial Support	
Satellite/Extension Program	
Technical Assistance	6,590
Others (list)	
TOTAL	$ 223,400

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 22,933
	Support Staff wages	9,605
	Faculty	23,737
Burden:	Direct Labor Fringe Benefits	3,797
	Supplies	3,624
	Dues and Subscriptions	1,507
	Leases/Rentals	1,632
	Telephone	4,334

5155

Utilities	9,478
Insurance	3,116
Facilities	1,245
Other	5,240
Travel: Transportation, Per Diem/Subsistence	6,688
Consultants and Audit:	7,200
Grand Total	$ 104,136

VII. What is the Cost of Attendance at your College:

Tuition	$ 1,640
Board and Room	3,627
Transportation	1,071
Text Books	240
Supplies	
Personal	540
Other	1,125
TOTAL	$ 8,243

VIII. Describe the overall institution, problems or issues to which the report address.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

SRock

INCOME

V. Sources of Revenue - Current FY 86

P.L. 99-428 Grant Award	$ 542,100
Title III Higher Education Act of 1965	
Indian Monies Proceeds from Labor (IMPL)	
Tribal Grants	
Public Law 95-638	
Vocational Education	26,071
Student Tuition and Fees	324,972
Adult Education	22,109
Developing Institutional	99,388
Others, Endowments, Gifts, etc.	6,100
Technical Assistance (P.L. 99-428)	
TOTAL	$ 1,020,740

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 53%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 19 86- 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 153,906
Research	
Athletics	2,500
Community Services	
Student Services	135,982
Institutional Administration	160,569
Physical Plant Operation	80,043
Student Financial Support	15,366
Satellite/Extension Program	No detail available
Technical Assistance	6,100
Others (list)	
TOTAL	$ 554,466

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 61,000
	Support Staff wages	50,000
	Faculty	301,240
Burden:	Direct Labor Fringe Benefits	Included above
	Supplies	Included above
	Dues and Subscriptions	Included above
	Leases/Rentals	1,168
	Telephone	13,500

SRock

Utilities	50,000
Insurance	19,937
Facilities	
Other	
Travel: Transportation, Per Diem/Subsistence	Included above
Consultants and Audit:	6,348
Grand Total	$1,057,659

VII. What is the Cost of Attendance at your College:

Tuition	$ 960
Board and Room	NA
Transportation	NA
Text Books	200
Supplies	30
Personal	-
Other	40
TOTAL	$ 1,230

VIII. Describe the overall institution, problems or issues to which the report address.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

College is located in two adjacent uildings with approximately 28,000 square feet available for use. We have (1) maintenance man and (1) janitor that take of the College and its needs. We are needing additional space for classes as we usage of all rooms.

Schild stone Child

INCOME

V. Sources of Revenue - Current FY 87

P.L. 99-428 Grant Award	$ 309,700
Title III Higher Education Act of 1965	-0-
Indian Monies Proceeds from Labor (IMPL)	-0-
Tribal Grants	-0-
Public Law 95-638	-0-
Vocational Education	-0-
Student Tuition and Fees	127,000
Adult Education	58,671
Developing Institutional	-0-
Others, Endowments, Gifts, etc.	5,400
Technical Assistance (P.L. 99-428)	
TOTAL	$ 500,771

What is the total percentage of Public Law 99-428 Funding compared with all other sources? $ 62.93%

EXPENDITURES

VI. What were the expenditures of the College this Academic Year 1986 - 87 using Public Law 99-428 monies:

Instruction (Exclude Personnel)	$ 9525.
Research	-0-
Athletics	-0-
Community Services	
Student Services	10840.
Institutional Administration	4194.
Physical Plant Operation	1919.
Student Financial Support	-0-
Satellite/Extension Program	-0-
Technical Assistance	5450.
Others (list)	
TOTAL	$ 31928.00

ADMINISTRATIVE EXPENSE

Direct Labor:	Administrative wages	$ 49060.
	Support Staff wages	46218.
	Faculty	45523.
Burden:	Direct Labor Fringe Benefits	19899.
	Supplies	10958.
	Dues and Subscriptions	1500.
	Leases/Rentals	
	Telephone	2550.

S.Child

Utilities	895.
Insurance	1778.
Facilities	8500.
Other	73629.
Travel: Transportation, Per Diem/Subsistence	9328.
Consultants and Audit:	13334.
Grand Total	$ 315100.

VII. What is the Cost of Attendance at your College:

Tuition	$ 1083.
Board and Room	900.
Transportation	500.
Text Books	300.
Supplies	100.
Personal	600.
Other	
TOTAL	$ 3483.

VIII. Describe the overall institution, problems or issues to which the report address.

Stone Child College offers programs of study that can lead to Associate of Arts and Associate of Applied Science degrees and certificates. The programs offered through Stone Child College are designed to meet the needs of the Rocky Boy Reservation as reflected by planning and attendance records.

IX. Describe the specific questions the evaluation set out to answer and the intended product of the grant.

The monies received through P.L. 99-428 are used for operating expenses for Stone Child College. (see attached report).

X. Describe facilities and maintenance; attach descriptions, or recommendations if needed.

The facilities used by Stone Child College are educational facilities currently maintained by the Chippewa-Cree Tribe and the local Bureau of Indian Affairs office. In addition, the Stone Child College utilizes available community facilities on a quarterly rental basis. In total, Stone Child College classes are conducted in six separate facilities.

Population and Income Levels

The following tables are derived primarily from the Bureau's biannual report, "Indian Service Population and Labor Force Estimates." In addition to population growth, the numbers also reflect the recognition of additional tribes as eligible to receive services from the Bureau of Indian Affairs.

Table 1. - LOCAL ESTIMATES OF RESIDENT INDIAN POPULATION AND LABOR FORCE STATUS; INDIANS LIVING ON AND ADJACENT TO RESERVATIONS: SUMMARY BY STATE: JANUARY 1987

Page 1 of 1

State	BIA TOTAL	YEARS OF AGE			LABOR FORCE STATUS, 16 YEARS OLD & OVER								
					UNABLE TO WORK		EMPLOYED			NOT EMPLOYED, ABLE TO WORK			
		65 & Over	Under 16	16 & Over	Students	Others	Total	Earn $7000 +		Total		Seeking Work	
								Number	% of 16-65	Number	% of 7+10	Number	% of 7+12
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
BIA TOTAL	861,570	52,592	287,130	574,440	78,705	93,464	207,748	133,413	26%	194,523	48%	128,541	38%
ALABAMA	1,835	138	449	1,386	110	278	790	466	37%	208	21%	208	21%
ALASKA	86,241	3,643	33,482	52,759	6,770	7,882	14,557	8,999	18%	23,550	62%	14,503	50%
ARIZONA	162,854	10,117	48,404	114,450	14,030	14,359	37,770	24,446	23%	48,291	56%	30,925	45%
CALIFORNIA	27,823	1,582	9,984	17,839	2,071	2,613	5,556	3,384	21%	7,599	58%	4,894	47%
COLORADO	2,239	97	813	1,426	125	224	579	467	35%	498	46%	219	27%
CONNECTICUT	80	0	42	38	0	13	25	16	L	0	L	0	L
FLORIDA	2,025	98	759	1,266	107	84	671	417	36%	404	38%	245	27%
IDAHO	7,495	496	2,274	5,221	670	634	1,733	1,052	22%	2,184	56%	1,366	44%
IOWA	691	34	275	416	39	42	137	80	21%	198	59%	198	59%
KANSAS	2,269	160	538	1,731	78	277	1,139	749	48%	237	17%	177	13%
LOUISIANA	936	52	352	584	16	98	239	142	27%	231	49%	164	41%
MAINE	2,951	153	1,071	1,880	148	380	728	630	36%	624	46%	454	38%
MICHIGAN	10,155	826	3,346	6,809	667	1,226	2,066	1,130	19%	2,850	58%	2,407	54%
MINNESOTA	18,288	1,120	6,776	11,512	1,258	2,804	2,698	1,711	16%	4,752	64%	3,993	60%
MISSISSIPPI	4,832	153	1,787	3,065	141	311	1,893	1,098	38%	700	27%	670	26%
MONTANA	32,829	1,451	11,694	21,135	2,654	2,935	6,590	5,252	27%	8,956	58%	5,497	45%
NEBRASKA	3,928	178	1,521	2,407	244	295	641	450	20%	1,227	66%	910	59%
NEVADA	8,686	650	2,833	5,853	646	1,077	2,407	1,451	28%	1,723	42%	1,324	35%
NEW MEXICO	117,815	5,985	33,659	84,156	14,323	6,532	38,207	22,135	28%	25,094	40%	14,940	28%
NEW YORK	12,314	997	3,593	8,721	1,457	1,913	2,501	1,351	17%	2,850	53%	2,600	51%
NORTH CAROLINA	6,110	702	2,307	3,803	490	1,340	1,085	817	26%	888	45%	710	40%
NORTH DAKOTA	22,539	921	8,043	14,496	1,587	3,432	3,789	3,368	25%	5,688	60%	3,929	51%
OKLAHOMA	191,981	16,415	64,359	127,622	21,635	28,758	57,848	37,951	34%	19,381	25%	14,483	20%
OREGON	7,180	435	2,403	4,777	510	889	2,146	1,411	32%	1,232	36%	764	26%
RHODE ISLAND	2,058	86	702	1,356	148	389	448	228	18%	371	45%	371	45%
SOUTH DAKOTA	50,791	2,358	19,899	30,892	2,643	5,141	6,110	4,282	15%	16,998	74%	9,721	61%
TEXAS	525	34	102	423	67	102	182	131	34%	72	28%	65	26%
UTAH	7,988	444	2,605	5,383	610	524	2,528	1,451	29%	1,721	41%	724	22%
WASHINGTON	40,486	1,775	14,532	25,954	3,048	4,971	7,443	4,729	20%	10,492	59%	8,440	53%
WISCONSIN	20,502	1,231	7,048	13,454	2,043	2,973	4,531	2,951	24%	3,907	46%	2,840	39%
WYOMING	5,124	261	1,478	3,646	370	968	711	668	20%	1,597	69%	798	53%

NOTES:

L means base for percentage is less than 50; percentage not shown.

Table 1. - LOCAL ESTIMATES OF RESIDENT INDIAN POPULATION AND LABOR FORCE STATUS; INDIANS LIVING ON AND ADJACENT TO RESERVATIONS; SUMMARY BY STATE: JANUARY 1985

Page 1 of 1

State	BIA TOTAL	Years of Age			Labor Force Status, 16 Years Old & Over								
					Unable to Work		Employed			Not Employed, Able to Work			
								Earn $7000+		Total		Seeking Work	
		65 & Over	Under 16	16 & Over	Students	Others	Total	Number	% of 16-65	Number	% of 7+10	Number	% of 7+12
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
BIA TOTAL	786,019	46,828	278,186	507,833	63,267	89,102	179,564	106,748	23%	175,900	49%	115,874	39%
ALASKA (AK)	69,410	3,107	27,338	42,072	6,215	7,704	10,696	6,946	18%	17,457	62%	11,314	51%
ARIZONA (AZ)	166,330	7,835	61,534	104,796	12,438	17,310	34,350	20,143	21%	40,698	54%	26,549	43%
CALIFORNIA (CA)	25,263	1,402	8,585	16,678	1,640	2,322	4,545	2,601	17%	8,171	64%	5,469	55%
COLORADO (CO)	2,427	100	780	1,647	329	223	510	369	24%	585	53%	446	47%
FLORIDA (FL)	1,873	87	735	1,138	77	121	587	412	39%	353	37%	205	26%
IDAHO (ID)	7,218	419	2,716	4,502	520	757	1,139	750	18%	2,086	65%	966	46%
IOWA (IA)	745	36	302	443	50	23	120	91	22%	250	67%	236	66%
KANSAS (KS)	2,254	184	891	1,363	78	241	732	524	44%	312	30%	280	28%
LOUISIANA (LA)	781	49	265	516	30	148	218	172	36%	120	35%	48	18%
MAINE (ME)	2,421	124	913	1,508	134	368	665	526	38%	341	34%	186	22%
MICHIGAN (MI)	6,498	368	2,243	4,255	390	701	1,224	739	19%	1,940	61%	1,696	58%
MINNESOTA (MN)	17,886	1,147	6,594	11,292	1,280	2,716	2,756	1,853	18%	4,540	62%	3,915	59%
MISSISSIPPI (MS)	4,599	148	1,794	2,805	217	380	1,580	890	33%	628	28%	552	26%
MONTANA (MT)	28,963	1,728	10,779	18,184	2,396	2,703	6,410	4,465	27%	6,675	51%	4,102	39%
NEBRASKA (NE)	4,415	349	1,291	3,124	281	417	661	554	20%	1,765	73%	991	60%
NEVADA (NV)	8,410	466	2,936	5,474	730	808	1,953	1,167	23%	1,983	50%	1,566	44%
NEW MEXICO (NM)	110,172	5,892	36,850	73,332	10,026	8,337	30,394	15,852	23%	24,565	45%	14,490	32%
NEW YORK (NY)	11,079	808	2,855	8,224	882	1,966	2,153	1,115	15%	3,223	60%	2,724	56%
NORTH CAROLINA (NC)	6,110	702	2,307	3,803	490	1,340	1,085	817	26%	888	45%	710	39%
NORTH DAKOTA (ND)	21,835	866	8,343	13,492	1,534	3,327	3,694	3,281	26%	4,937	57%	3,741	50%
OKLAHOMA (OK)	159,587	14,439	50,294	109,293	15,204	23,705	53,585	29,272	31%	16,799	24%	11,709	18%
OREGON (OR)	4,856	215	1,791	3,065	426	616	1,118	738	26%	905	45%	669	37%
SOUTH DAKOTA (SD)	49,832	2,287	19,949	29,883	2,628	4,821	5,802	4,389	16%	16,632	74%	10,191	64%
TEXAS (TX)	463	2	168	295	47	71	124	99	34%	53	30%	31	20%
UTAH (UT)	7,480	340	2,718	4,762	627	562	2,104	1,071	24%	1,469	41%	696	25%
WASHINGTON (WA)	40,524	2,230	14,315	26,209	2,562	4,483	7,052	4,381	18%	12,112	63%	7,703	52%
WISCONSIN (WI)	19,334	1,223	7,166	12,168	1,681	2,377	3,759	3,093	28%	4,351	54%	3,652	49%
WYOMING (WY)	5,254	275	1,734	3,520	355	555	548	438	13%	2,062	79%	1,038	65%

Table 1. - LOCAL ESTIMATES OF RESIDENT INDIAN POPULATION AND LABOR FORCE STATUS; INDIANS LIVING ON AND ADJACENT TO RESERVATIONS; SUMMARY BY STATE: JANUARY 1983

Page 1 of 1

State	BIA TOTAL	Years of Age			Labor Force Status, 16 Years Old & Over									1980 Census TOTAL
					Unable to Work		Employed			Not Employed, Able to Work				
								Earn $7000+		Total		Seeking Work		
		65 & Over	Under 16	16 & Over	Stu-dents	Others	Total	Number	% of 16-65	Number	% of 7+10	Number	% of 7+12	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
BIA TOTAL	755,201	46,190	261,321	493,880	62,321	88,210	168,084	109,886	25%	175,265	51%	106,947	39%	1,421,367
ALASKA (AK)	64,970	2,899	25,618	39,352	5,832	7,236	9,991	6,409	18%	16,293	62%	10,822	52%	64,103
ARIZONA (AZ)	154,818	7,460	57,086	97,732	11,515	16,627	28,290	18,125	20%	41,300	59%	24,320	46%	152,745
CALIFORNIA (CA)	23,625	1,352	7,344	16,281	1,396	2,257	4,496	2,613	18%	8,132	64%	4,999	53%	201,369
COLORADO (CO)	2,661	128	852	1,809	382	180	485	246	15%	762	61%	654	57%	18,068
FLORIDA (FL)	1,921	81	723	1,198	114	143	598	416	37%	343	36%	241	29%	19,257
IDAHO (ID)	7,108	407	2,626	4,482	478	726	1,108	774	19%	2,170	66%	1,039	48%	10,521
IOWA (IA)	662	28	285	377	43	24	100	88	25%	210	68%	205	67%	5,455
KANSAS (KS)	2,243	172	902	1,341	71	239	796	538	46%	235	23%	158	17%	15,373
LOUISIANA (LA)	717	43	253	464	32	141	196	157	37%	95	33%	54	23%	12,065
MAINE (ME)	2,261	114	860	1,401	171	279	545	279	22%	406	43%	268	33%	4,087
MICHIGAN (MI)	5,829	267	1,984	3,845	351	588	1,155	671	19%	1,751	60%	1,229	52%	40,050
MINNESOTA (MN)	18,260	1,220	6,803	11,457	1,363	2,762	2,532	1,706	17%	4,800	65%	3,892	61%	35,016
MISSISSIPPI (MS)	4,487	147	1,750	2,737	213	418	1,428	677	26%	678	32%	352	20%	6,180
MONTANA (MT)	27,529	1,087	10,111	17,418	2,057	2,777	5,579	4,043	25%	7,005	56%	4,043	42%	37,270
NEBRASKA (NE)	4,404	347	1,329	3,075	281	413	629	535	20%	1,752	74%	950	60%	9,195
NEVADA (NV)	8,259	509	2,610	5,649	567	626	1,835	1,299	25%	2,621	59%	1,662	48%	13,308
NEW MEXICO (NM)	105,973	6,204	31,511	74,462	9,329	8,334	30,207	24,342	36%	26,592	47%	15,860	34%	106,119
NEW YORK (NY)	11,167	935	2,942	8,225	872	1,885	2,463	1,260	17%	3,005	55%	2,502	50%	39,582
NORTH CAROLINA (NC)	5,971	424	1,819	4,152	884	710	1,092	828	22%	1,466	57%	659	38%	64,652
NORTH DAKOTA (ND)	21,552	853	8,025	13,527	1,461	2,946	3,384	3,025	24%	5,736	63%	3,893	53%	20,158
OKLAHOMA (OK)	159,852	15,406	49,715	110,137	16,293	25,729	52,451	28,353	30%	15,664	23%	8,716	14%	169,459
OREGON (OR)	4,301	194	1,547	2,754	326	541	990	571	22%	897	48%	614	38%	27,314
SOUTH DAKOTA (SD)	46,101	2,035	19,545	26,556	2,665	4,593	4,977	4,406	18%	14,321	74%	6,003	55%	45,968
UTAH (UT)	7,140	313	2,607	4,533	631	643	1,412	1,045	25%	1,847	57%	902	39%	19,256
WASHINGTON (WA)	39,726	2,220	14,091	25,635	2,557	4,413	6,986	4,215	18%	11,679	63%	8,711	55%	60,804
WISCONSIN (WI)	18,279	1,156	6,689	11,590	1,542	1,994	3,777	2,843	27%	4,277	53%	3,300	47%	29,499
WYOMING (WY)	5,385	189	1,694	3,691	895	986	582	422	12%	1,228	68%	899	61%	7,094
OTHER STATES														187,400

NOTE: 1. The 1980 Census data are shown for references only. They may differ somewhat from those reported by the census initially. The changes reflect correction of errors found after the initial census reports were prepared.

2. The difference in Indian population between the Census Bureau figure and the BIA total, represents Indian people of federally recognized tribes but living off reservation, or Indian people who are not members of any federally recognized tribe, and all those who claimed Indian ancestry.

Table 2. - LOCAL ESTIMATES OF POPULATION AND LABOR FORCE STATUS; INDIANS LIVING ON AND ADJACENT TO RESERVATIONS; SUMMARY BY BIA AREA AND WITHIN AREA BY STATE: DECEMBER 1981

Page 1 of 2

Area & State	TOTAL	YEARS OF AGE			LABOR FORCE STATUS, 16 YEARS OLD & OVER								
		65 & Over	Under 16	16 & Over	UNABLE TO WORK		EMPLOYED			NOT EMPLOYED, ABLE TO WORK			
					Students	Others	Total	Earn $7000+		Total		Seeking Work	
								Number	% of Col.4	Number	% of 7&10	Number	% of 7 + 12
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
BIA TOTAL	734,895	44,715	253,934	480,961	65,686	90,171	174,990	118,720	25%	[illegible]	46%	[illegible]	31%
ABERDEEN	(64,774)	(3,199)	(24,194)	(40,580)	(5,086)	(7,304)	(11,166)	(8,897)	(22%)	(17,024)	(60%)	[illegible]	(44%)
Nebraska (Part)	3,046	225	997	2,049	184	299	703	635	31%	863	55%	677	49%
North Dakota	20,044	786	8,148	11,896	1,724	2,782	3,357	2,743	23%	3,832	52%	[illegible]	43%
South Dakota	41,321	2,179	14,895	26,426	3,157	4,180	6,766	5,456	21%	12,324	64%	[illegible]	44%
Montana (Part)	363	9	154	209	21	43	140	63	30%	5	3%	5	3%
ALBUQUERQUE	(45,425)	(2,395)	(16,681)	(28,744)	(3,974)	(3,985)	(11,902)	(7,695)	(27%)	[illegible]	(43%)	[illegible]	(27%)
Colorado	2,624	81	1,063	1,561	414	153	436	371	24%	558	56%	315	34%
New Mexico (Part)	42,801	2,314	15,618	27,183	3,560	3,832	11,466	7,324	27%	[illegible]	42%	[illegible]	26%
ANADARKO	(36,719)	(2,225)	(11,119)	(25,600)	(4,465)	(5,666)	(9,462)	(7,117)	(28%)	[illegible]	[illegible]	[illegible]	(32%)
Kansas	2,165	151	892	1,273	63	223	821	366	44%	[illegible]	17%	[illegible]	19%
Oklahoma	34,503	2,068	10,208	24,295	4,399	5,430	8,626	6,537	27%	[illegible]	[illegible]	4,373	34%
Nebraska (Part)	31	6	19	32	3	13	15	14	L	1	L	1	L
BILLINGS	(32,805)	(1,245)	(11,222)	(21,583)	(3,378)	(4,370)	(6,937)	(5,273)	(24%)	(6,898)	(50%)	(3,235)	(32%)
Montana	27,100	1,050	9,419	17,681	2,283	2,995	6,266	4,871	27%	6,137	49%	2,703	30%
Wyoming	5,705	195	1,803	3,902	1,095	1,375	671	404	10%	761	53%	332	44%
EASTERN	(25,961)	(1,620)	(9,279)	(16,682)	(2,092)	(3,341)	(6,036)	(4,031)	(24%)	(5,013)	(45%)	[illegible]	[illegible]
Florida	1,881	71	763	1,110	37	139	509	374	33%	353	37%	[illegible]	34%
Louisiana	550	36	198	352	27	99	207	160	45%	19	[illegible]	11	4%
Maine	2,326	109	820	1,506	206	260	356	274	18%	[illegible]	[illegible]	[illegible]	[illegible]
Mississippi	4,914	281	2,113	2,801	305	737	1,120	850	30%	[illegible]	[illegible]	[illegible]	[illegible]
New York	10,626	733	3,360	7,066	712	1,591	2,180	1,335	19%	[illegible]	[illegible]	[illegible]	[illegible]
North Carolina	5,664	390	1,825	3,839	725	787	1,304	1,038	27%	[illegible]	[illegible]	[illegible]	[illegible]
JUNEAU	(64,047)	(2,853)	(25,303)	(38,744)	(5,696)	(7,107)	(9,858)	(6,231)	(16%)	[illegible]	[illegible]	[illegible]	[illegible]
Alaska	64,047	2,853	25,303	38,744	5,696	7,107	9,851	6,258	16%	[illegible]	[illegible]	[illegible]	[illegible]
MINNEAPOLIS	(39,063)	(2,572)	(15,020)	(24,043)	(3,309)	(5,092)	(8,805)	(6,441)	(20%)	[illegible]	[illegible]	[illegible]	[illegible]
Iowa	695	26	305	390	37	78	131	110	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Michigan	5,551	298	2,034	3,517	434	328	1,430	774	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Minnesota	16,511	1,067	6,294	10,217	1,324	2,528	3,050	2,178	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Wisconsin	17,106	1,181	6,387	10,719	1,314	1,908	4,185	3,379	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
MUSKOGEE	(121,998)	(12,078)	(38,135)	(83,863)	(14,727)	(22,813)	(37,711)	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Oklahoma	121,998	12,078	38,135	83,863	14,727	22,813	37,711	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

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Table 2 - Continued

Area & State	TOTAL	YEARS OF AGE			LABOR FORCE STATUS, 16 YEARS OLD & OVER								
					UNABLE TO WORK		EMPLOYED			NOT EMPLOYED, ABLE TO WORK			
								Earn $7000+		Total		Seeking Work	
		65 & Over	Under 16	16 & Over	Students	Others	Total	Number	% of Col.4	Number	% of 7+10	Number	% of 7+12
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
NAVAJO	(160,722)	(8,679)	(51,551)	(109,171)	(13,158)	(11,694)	(39,643)	(33,960)	(31%)	(44,876)	(53%)	(16,407)	(29%)
Arizona (Part)	92,144	4,766	30,539	61,696	7,105	8,038	13,121	10,064	16%	33,632	71%	9,716	43%
New Mexico (Part)	64,039	3,705	19,410	44,744	5,603	3,389	25,659	23,225	51%	10,093	28%	5,931	19%
Utah (Part)	4,539	208	1,602	2,731	450	267	863	671	25%	1,151	57%	760	47%
PHOENIX	(71,933)	(3,721)	(27,034)	(44,899)	(5,140)	(10,950)	(18,366)	(9,305)	(21%)	(10,443)	(36%)	(5,841)	(24%)
Arizona (Part)	60,001	2,998	22,893	37,100	4,336	9,834	15,177	7,348	20%	7,761	34%	4,326	22%
California (Part)	2,085	115	698	1,387	90	269	645	317	23%	383	37%	258	28%
Idaho (Part)	176	13	59	118	7	13	40	28	24%	55	58%	55	58%
Nevada	7,361	496	2,533	4,827	563	608	1,965	1,237	26%	1,692	46%	1,062	35%
Utah (Part)	2,310	99	851	1,459	144	224	539	356	24%	552	51%	140	21%
PORTLAND	(52,787)	(2,669)	(18,551)	(34,236)	(3,844)	(6,043)	(11,222)	(8,205)	(24%)	(13,127)	(54%)	(9,268)	(45%)
Idaho (Part)	6,777	380	2,482	4,295	687	778	1,842	1,463	34%	988	35%	650	26%
Oregon	4,777	166	1,924	2,853	340	618	1,238	906	32%	657	35%	448	26%
Washington	41,233	2,123	14,145	27,088	2,817	4,647	8,142	5,836	21%	11,482	58%	8,170	50%
SACRAMENTO	(17,861)	(1,259)	(5,845)	(12,016)	(817)	(1,607)	(3,889)	(2,641)	(22%)	(5,704)	(59%)	(2,976)	(43%)
California (Part)	17,861	1,259	5,845	12,016	817	1,607	3,889	2,641	22%	5,704	59%	2,976	43%

NOTE:

1. Figures in parentheses are non-add
2. L means Base for percentage is less than 50; no percentage shown

TABLE 1. - LOCAL ESTIMATES OF POPULATION AND LABOR FORCE STATUS; INDIANS LIVING ON AND ADJACENT TO RESERVATIONS;
SUMMARY BY STATES, APRIL 1979

Page 1 of 1

STATE	TOTAL	YEARS OF AGE			LABOR FORCE STATUS, 16 YEARS OLD & OVER								
					UNABLE TO WORK		EMPLOYED			NOT EMPLOYED, ABLE TO WORK			
		65 & Over	Under 16	16 & Over	Students	Others	Total	Earn $5000 + Number	% of 16-65	Total Number	% of 7+10	Seeking Work Number	% of 7+12
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
BIA TOTAL	681213	34887	260648	420565	62028	81272	167962	113564	29%	109303	39%	60850	27%
ALASKA (Includes all Natives in the State)	72664	3170	29461	43203	6655	6905	11592	7461	19%	18051	61%	12087	51%
ARIZONA	145258	6993	57137	88121	12708	16299	38659	25298	31%	20455	35%	9977	21%
CALIFORNIA	11608	750	4296	7312	746	1393	2836	1589	24%	2337	45%	1523	35%
COLORADO	2285	66	857	1428	369	152	381	311	23%	526	58%	497	57%
FLORIDA	1567	66	619	948	74	78	495	406	46%	301	38%	225	31%
IDAHO	5847	346	1890	3957	497	1068	1426	987	27%	966	40%	610	30%
IOWA	649	29	298	351	47	103	130	77	24%	71	35%	66	34%
KANSAS	2225	157	914	1311	65	250	772	465	40%	224	22%	160	17%
LOUISIANA	554	34	219	335	38	70	208	154	51%	19	8%	15	7%
MAINE	1247	53	506	741	87	220	290	164	24%	144	33%	71	20%
MICHIGAN	3354	187	1334	2020	247	430	626	387	21%	717	53%	620	50%
MINNESOTA	16476	1101	5660	10816	1285	2694	3120	2037	21%	3717	54%	3137	50%
MISSISSIPPI	4490	178	1935	2555	325	660	1055	735	31%	515	33%	236	18%
MONTANA	26483	1101	9662	16821	2319	3363	5957	5176	33%	5182	47%	2244	27%
NEBRASKA	3318	209	1297	2021	239	387	645	561	31%	750	54%	462	42%
NEVADA	6281	428	2318	3963	523	693	1655	786	22%	1092	40%	702	30%
NEW MEXICO	104153	5172	39616	64537	9575	9164	30337	20524	35%	15461	34%	7577	20%
NEW YORK	8753	679	2978	5775	716	1448	2280	1126	22%	1331	37%	667	23%
NORTH CAROLINA	5925	427	1807	4118	605	868	1639	1229	33%	1006	38%	333	17%
NORTH DAKOTA	18386	810	9204	9182	1421	1728	3511	2687	32%	2522	42%	1609	31%
OKLAHOMA (Includes population in former reservation areas)	126213	7031	45038	81175	13833	20054	36162	23795	32%	11126	24%	6290	15%
OREGON	3873	153	1369	2504	276	630	1177	892	38%	421	26%	294	20%
SOUTH DAKOTA	42439	2189	18383	24056	2889	4243	7660	5984	27%	9264	55%	3876	34%
UTAH	8755	394	3390	5365	778	743	2412	1672	34%	1432	37%	590	20%
WASHINGTON	34940	1861	11380	23560	3205	3650	8361	5681	26%	8134	49%	4589	35%
WISCONSIN	16544	1138	6345	10199	1491	2214	3687	2682	30%	2807	43%	1862	34%
WYOMING	6926	165	2735	4191	1015	1555	889	698	17%	732	45%	531	37%

ORIGINAL

TABLE 1. - ESTIMATES OF INDIAN POPULATION ON & ADJACENT TO RESERVATIONS a/, AND LABOR FORCE STATUS; BY STATE: APRIL 1977. ALSO ESTIMATES OF RESERVATION POPULATION: JULY 1975.

Bureau of Indian Affairs
Statistics. November 1977

Page 1 of 2.

(Local estimates for 1977 unless indicated otherwise. Centrally controlled estimates for 1975 reservation population.)

STATE	TOTAL	YEARS OF AGE			LABOR FORCE STATUS, 16 YEARS OLD & OVER									JULY 1975 RESERVATIO POPULATION
		65 & Over	Under 16	16 & Over	UNABLE TO WORK		EMPLOYED			NOT EMPLOYED, ABLE TO WORK				
					Students	Others	Total	Earning $5,000 +		Total		Actively Seeking Work		
								Number	As % of Age 16-65	Number	As % of (7)+(10)	Number	As % of (7)+(12)	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
U.S. TOTAL	648,683	37,907	254,106	394,577	55,121	87,454	151,197	91,747	26%	100,805	40%	53,863	26%	483,635
Local employment estimates	641,428	37,279	251,388	390,040	54,644	86,956	149,699	91,097	26%	98,741	40%	52,715	26%	478,618
Central employment estimates	7,255	628*	2,718*	4,537*	477*	498*	1,498*	650*	17%*	2,064*	58%*	1,148*	43%*	5,017
ALASKA	70,166	6,936	30,730	39,436	7,222	8,119	11,090	6,989	22	13,005	54	7,018	39	41,704 b
ARIZONA	140,156	6,806	54,526	85,630	10,114	20,185	34,302	20,099	25	21,029	38	9,796	22	115,786
CALIFORNIA	(10,121)c/	(651)	(3,909)	(6,212)	(635)	(1,092)	(2,260)	(1,114)	(20)	(2,225)	(50)	(1,214)	(35)	(8,666)
Local employment estimates	10,001	643	3,863	6,138	627	1,079	2,233	1,101	20	2,199	50	1,199	35	8,666
Central employment estimates	120	8*	46*	74*	8*	13*	27*	13*	20*	26*	49*	15*	B	-0-
COLORADO	2,111	84	850	1,261	267	154	316	182	15	524	62	492	61	1,810
FLORIDA	1,627	65	690	937	97	97	499	290	33	244	33	218	30	1,377
IDAHO	5,755	405	1,862	3,893	366	846	1,469	952	27	1,212	45	487	25	3,864
IOWA	593	27	282	311	42	117	101	78	27	51	34	39	28	593
KANSAS	2,400	146	960	1,440	67	306	814	464	36	253	24	148	15	737
LOUISIANA	504	25	190	314	22	49	209	198	69	34	14	26	11	231
MAINE Central employment est.	1,519	102*	600*	919*	-0-*	-0-*	508*	147*	18*	411*	45*	206*	29*	1,001
MICHIGAN	(3,527)	(191)	(1,526)	(2,001)	(291)	(487)	(520)	(191)	(11)	(703)	(57)	(659)	(56)	(1,504)
Local employment estimates	2,327	126	1,007	1,320	192	321	343	126	11	464	57	435	56	1,504
Central employment estimates	1,200	65*	519*	681*	99*	166*	177*	65*	11*	239*	57*	224*	56*	-0-
MINNESOTA	14,248	786	5,407	8,841	1,079	2,359	2,450	1,200	15	2,953	55	2,257	48	11,661
MISSISSIPPI	4,052	159	1,747	2,305	217	445	975	620	29	668	41	430	31	2,579
MONTANA	25,361	1,092	10,550	14,811	2,723	2,622	5,052	4,078	30	4,414	47	2,120	30	20,964
NEBRASKA	3,130	199	1,216	1,914	220	346	580	392	23	768	57	410	41	3,119
NEVADA	5,679	342	2,189	3,490	438	426	1,540	703	22	1,086	41	584	27	4,676
NEW MEXICO	99,818	5,104	37,669	62,149	7,636	12,104	26,676	16,410	29	15,733	37	7,411	22	81,989
NEW YORK	(7,280)	(790)	(2,451)	(4,829)	(613)	(502)	(1,285)	(669)	(17)	(2,429)	(65)	(1,227)	(49)	(7,984)
Local employment estimates	3,264	354	1,099	2,165	275	225	576	300	17	1,089	65	550	49	3,968
Central employment estimates	4,016	436*	1,352*	2,664*	338*	277*	709*	369*	17*	1,340*	65*	677*	49*	4,016
NORTH CAROLINA	5,729	323	2,048	3,681	546	730	1,342	1,006	30	1,063	44	339	20	5,214
NORTH DAKOTA	(17,245)	(748)	(8,685)	(8,560)	(1,394)	(1,791)	(3,292)	(2,416)	(31)	(2,083)	(39)	(1,117)	(25)	(12,580)
Local employment estimates	16,845	731	8,484	8,361	1,362	1,749	3,215	2,360	31	2,035	39	1,091	25	12,580

	[illegible]	ARS OF AGE			LABOR FORCE STATUS, 16 YEARS OLD & OVER									JULY 197 RESERVATI POPULATIO
					UNABLE TO WORK		EMPLOYED			NOT EMPLOYED, ABLE TO WORK				
								Earning $5,000 +		Total		Actively Seeking Work		
		65 & Over	Under 16	16 & Over	Students	Others	Total	Number	As % of Age 16-65	Number	As % of (7)+(10)	Number	As % of (7)+(12)	
		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
[illegible]	400	17*	201*	199*	32*	42*	77*	56*	31*	48*	38*	26*	25*	-0-
[illegible]	120,460	6,677	43,672	76,788	12,290	19,831	34,071	19,758	28	10,596	24	7,117	17	78,689 b/
[illegible]	[illegible]	156	1,376	2,005	248	772	761	640	35	224	23	159	17	2,843
[illegible]	[illegible]	[illegible]	18,210	22,726	2,690	4,702	6,970	4,211	21	8,364	55	3,521	34	35,888
[illegible]	[illegible]	406	3,137	5,218	640	1,063	2,083	1,308	27	1,432	41	661	24	7,979
[illegible]	[illegible]	1,959	11,210	22,075	3,202	4,974	7,928	4,975	25	5,971	43	3,953	33	16,306
[illegible]	[illegible]	1,006	5,785	8,718	1,168	1,804	3,260	1,949	25	2,486	43	1,844	36	9,297
[illegible]	[illegible]	281	2,629	4,113	894	1,531	844	708	18	844	50	410	33	4,594
[illegible]	[illegible]	37												

Footnotes: (61,311)

[illegible] base is too small for percentage to be meaningful (less than 50).

*- BIA Central Office estimate of missing data: Estimated proportional to local estimates for rest of State, except in Maine (details in Table 4).

a/ Includes all Natives in Alaska, and Indians in former reservation areas of Oklahoma.

b/ The 1975 figures are: (1) Revenue Sharing populations for tribes participating (except in Oklahoma). The figures include Indians living within reservation boundaries, plus Indians living adjacent on trust land pertaining to that reservation. Non-Indian spouses and dependent children are also included, when known. The figure is a Central Office estimate which can be appealed on submission of satisfactory evidence. It is not a local estimate. (2) For tribes not in Revenue Sharing, an analagous estimate. The Alaska figure includes native places recognized under the Alaska Native Claims Settlement Act, corresponding to the general concept of reservations. (3) In Oklahoma, the absence of reservations (except Osage) restricts Revenue Sharing figures to trust land only. To provide a figure more comparable to the population under reservation jurisdiction we use the tribal members living in the counties of the former reservations.

c/ In California, the Indian Health Service estimates about 106,800 Indians, all tribes, in the whole State in 1977.

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U.S. Department of the Interior
BUREAU OF INDIAN AFFAIRS

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C. RESIDENT INDIAN POPULATION, LABOR FORCE, UNEMPLOYMENT, AND UNDEREMPLOYMENT; SUMMARY BY STATE: MARCH 1973

(Tabulation of selected items as reported by Agencies.)

	POPULATION ON & ADJACENT TO RESERVATION	LABOR FORCE (16 YRS. & OVER)	UNEMPLOYMENT	RATE OF UNEMPLOY-MENT	TEMPORARY EMPLOYMENT	RATE OF UNEMPLOYMENT & UNDEREMPLOYMENT
BIA GRAND TOTAL POPULATION	542,897					
Population reported but not labor force status	30,066					
Total in labor force survey	512,831	167,321	61,678	37%	30,213	55%
Alaska	61,026	19,878	12,461	63%	2,906	77%
Arizona	114,178	38,504	13,574	35	7,516	55
California Total Population .	(37,582)					
Population reported but not 1/f status	30,025 29,339					
Total in labor force survey	7,557	2,406	1,176	49	469	68
Colorado	1,745	595	219	37	152	63
Florida	1,594	605	160	26	212	61
Idaho	5,105	1,795	591	33	331	51
Iowa	575	150	32	21	26	38
Kansas	917	232	31	13	40	30
Louisiana	182	59	20	34	10	51
Michigan	2,252	715	274	38	113	54
Minnesota	11,273	3,359	1,390	41	673	61
Mississippi	3,379	1,088	72	7	433	47
Montana	25,922	7,183	2,743	38	684	48
Nebraska	2,492	1,012	520	51	276	78
Nevada Total Population	(4,662)					
Population reported but not 1/f status	41					
Total in labor force survey	4,621	1,375	443	32	339	57

C. RESIDENT INDIAN POPULATION, LABOR FORCE, UNEMPLOYMENT, AND UNDEREMPLOYMENT; SUMMARY BY STATE: MARCH 1973--CO

(Tabulation of selected items as reported by Agencies.)

	POPULATION ON & ADJACENT TO RESERVATION	LABOR FORCE (16 YRS. & OVER)	UNEMPLOYMENT	RATE OF UNEMPLOY-MENT	TEMPORARY EMPLOYMENT	RATE OF UNEMPLOYMENT & UNDEREMPLOYMEN
New Mexico	92,963	33,063	11,396	34%	6,000	52%
North Carolina	4,940	1,870	414	22	341	40
North Dakota	14,881	4,118	1,766	43	454	54
Oklahoma	85,228	28,628	6,707	23	5,470	42
Oregon	2,833	808	196	24	37	28
South Dakota	31,579	8,036	2,999	37	1,593	57
Utah	7,391	2,535	892	35	435	52
Washington	17,708	5,795	2,236	38	1,174	58
Wisconsin	7,952	2,436	850	35	444	53
Wyoming	4,538	1,076	516	48	85	56

RESIDENT INDIAN POPULATION
(Tabulation of selected items as reported by Agencies.)1/

BIA Area Offices	March 1972 BIA Estimates
Aberdeen Area	48,455
Albuquerque Area	30,385
Anadarko Area	23,215
Billings Area	28,572
Juneau Area	59,634
Minneapolis Area	20,816
Muskogee Area	61,703
Navajo Area	133,487
Phoenix Area	50,195
Portland Area	26,374
Sacramento Area	40,955
Southeast Area	9,953
Alaska	59,634
Arizona	117,515
California	42,847
Colorado	1,855
Florida	1,511
Idaho	5,068
Iowa	561
Kansas	917
Louisiana	268
Michigan	2,019
Minnesota	10,802
Mississippi	3,294
Montana	24,137
Nebraska	2,707
Nevada	4,697
New Mexico	81,718
North Carolina	4,880
North Dakota	14,249
Oklahoma	83,895
Oregon	2,718
South Dakota	31,605
Utah	6,176
Washington	18,802
Wisconsin	7,434
Wyoming	4,435

Table 1. ESTIMATES OF INDIAN POPULATION ON OR ADJACENT TO FEDERAL RESERVATIONS, BY STATE AND AREA: MARCH: 1971

(includes Alaska Natives)

Bureau of Indian Affairs Total 488,000

State

Alaska 1/	59,000	Nebraska	2,300
Arizona	114,400	Nevada	4,700
California	7,300	New Mexico	77,400
Colorado	1,800	North Carolina	4,800
Florida	1,500	North Dakota	14,400
Idaho	5,100	Oklahoma 2/	86,600
Iowa	500	Oregon	2,800
Kansas	900	South Dakota	30,800
Louisiana	300	Utah	6,100
Michigan	2,000	Washington	17,100
Minnesota	11,000	Wisconsin	7,200
Mississippi	3,200	Wyoming	4,300
Montana	22,500		

Administrative Area

Aberdeen Area	47,400	Muskogee Area	65,900
Albuquerque Area	27,300	Navajo Area	130,200
Anadarko Area	21,800	Phoenix Area	48,900
Billings Area	26,800	Portland Area	24,800
Juneau Area	59,000	Sacramento Area	5,400
Minneapolis Area ...	20,700	Central Office	9,800

NOTE: Details may not add to totals because of rounding. Adjustments made for the States where reservations overlap into another State.

1/ Includes all Indians and Natives in Alaska.

2/ Includes former reservation areas in Oklahoma.

Statistical Division
July 1971

of the Int
AU OF INDIAN AFFAIRS

LATION, LABOR FORCE, UNEMPLOYMENT, AND RATE OF UNDEREMPLOYMENT -- MARCH 1970

(Tabulation of selected items as reported by Agencies.)

	TOTAL RESIDENT POPULATION			LABOR FORCE (16 YEARS AND OVER)					UNEMPLOYED				TEMPORARY			RATE O UNDER- EMPLOY MENT Cols. 9+13÷
	Number			Number			% of Total		Number			% of L/F	Number			
	Total	Male	Female	Total	Male	Female	Col 5 / Col 4	Col 6 / Col 4	Total	Male	Female	Col 9 / Col 4	Total	Male	Female	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
ska	56,795	30,123	26,672	16,694	11,144	5,550	67%	33%	10,517	6,680	3,837	63%	2,546	1,876	670	78%
zona a/	115,002	57,152	57,850	35,744	19,289	16,455	45	46	14,020	7,633	6,387	39	8,662	3,036	5,626	63
ifornia total ----------	(6,974)															
ot included in L/F survey	3,389															
otal in labor force survey	3,595	1,776	1,819	949	621	328	65	35	364	231	133	38	133	97	36	52
orado	1,764	905	859	571	352	219	62	38	264	146	118	46	128	96	32	69
rida	1,286	631	655	456	250	206	55	45	43	30	13	9	249	130	119	64
ho b/	5,121	2,569	2,552	1,815	1,155	660	64	36	715	366	349	39	378	265	113	60
a	514	259	255	106	79	27	75	25	30	23	7	28	2	0	2	30
as	2,594	1,339	1,255	703	551	152	78	22	254	215	39	36	251	185	66	72
isiana total -----------	(268)															
ot included in L/F survey	268															
igan	1,026	542	484	269	185	84	69	31	137	92	45	51	30	19	11	62
nesota c/	11,023	5,729	5,294	3,535	2,455	1,080	69	31	1,528	1,043	485	43	771	614	157	65
sissippi	3,127	1,500	1,627	920	561	359	61	39	100	39	61	11	294	168	126	43
tana	22,592	11,487	11,105	6,172	4,047	2,125	66	35	2,678	1,708	970	43	641	428	213	54
raska d/	2,499	1,290	1,209	921	571	350	62	38	365	159	206	40	324	264	60	75
da total -------------	(4,697)															
ot included in L/F survey	1,050															
tal in labor force survey	3,647	1,852	1,795	1,021	703	318	69	31	474	304	170	46	221	148	73	68
Mexico	76,835	38,130	38,705	24,985	12,704	12,281	59	49	10,281	5,363	4,918	41	5,637	1,968	3,669	64
th Carolina	4,766	2,467	2,299	1,769	1,054	715	60	40	444	365	79	25	167	89	78	35
th Dakota e/	13,948	6,997	6,951	4,094	2,290	1,804	56	44	2,691	1,607	1,084	66	253	143	110	72
ahoma	81,229	39,666	41,563	29,322	18,045	11,277	62	38	6,599	3,171	3,428	22	5,757	3,447	2,310	42
gon	2,835	1,435	1,400	953	532	421	56	44	246	140	106	26	224	93	131	49
h Dakota	29,707	14,813	14,894	7,509	4,889	2,620	65	35	3,300	2,496	804	44	1,164	658	506	59
h f/	5,999	3,001	2,998	1,812	994	818	55	45	823	494	329	45	413	120	293	68
ington	15,845	8,010	7,835	4,625	3,463	1,162	75	25	1,520	1,021	499	33	1,507	1,214	293	65
consin	6,862	3,388	3,474	1,954	1,233	721	63	37	579	264	315	30	321	185	136	46
ming	4,140	1,981	2,159	1,057	649	408	61	39	482	278	204	46	65	36	29	52

..Yuma 3% in Ariz b/Duck Valley 25% in Idaho c/Winnebago 4% in Minn d/Iowa 37%, Sac & Fox 47% in Nebr e/Standing Rock 47% in N Dak f/Ute Mt 21%, Goshute 37% in U

Page 2
May 1969
Code:

INDIAN RESERVATION POPULATION, LABOR FORCE, AND UNEMPLOYMENT--March 1969

(Tabulation of Items (s), (r), and (v) as reported by Agencies.)

	TOTAL RESIDENT POPULATION			LABOR FORCE (16 YEARS AND OVER)					UNEMPLOYED			
	Number			Number			% of Total		Number			% of L/F
	Total	Male	Female	Total	Male	Female	Col 5 / Col 4	Col 6 / Col 4	Total	Male	Female	Col 9 / Col 4
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
MUSKOGEE 1/	59,699	29,251	30,448	22,056	13,544	8,512	61%	39%	4,087	1,903	2,184	19%
Louisiana 1/	268	132	136									
Mississippi	3,079	1,479	1,600	932	557	375	60	40	107	30	77	11
Oklahoma	56,352	27,640	28,712	21,124	12,987	8,137	61	39	3,980	1,873	2,107	19
NAVAJO	123,713	61,147	62,566	38,251	18,772	19,479	49%	51%	19,668	11,019	8,649	51%
Arizona	121,545	60,080	61,465	37,657	18,473	19,184	49	51	19,362	10,844	8,518	51
New Mexico	2,168	1,067	1,101	594	299	295	50	50	306	175	131	52
PHOENIX 1/	45,789	23,041	22,748	12,871	8,751	4,120	68%	32%	4,899	2,844	2,055	38%
Arizona	38,307	19,266	19,041	11,177	7,570	3,607	68	32	4,185	2,387	1,798	37
California	1,536	752	784	568	336	232	59	41	285	171	114	50
Nevada 1/	4,641	2,365	2,276	770	586	184	76	24	221	148	73	29
Utah	1,305	658	647	356	259	97	73	27	208	138	70	58
PORTLAND	23,958	12,077	11,881	7,857	5,403	2,454	69%	31%	2,755	1,552	1,203	35%
Idaho	5,060	2,508	2,552	2,131	1,189	942	56	44	901	306	595	42
Oregon	2,821	1,421	1,400	1,018	593	425	58	42	288	130	158	28
Utah	5	4	1	1	1	0	100	-	0	0	0	-
Washington	16,072	8,144	7,928	4,707	3,620	1,087	77	23	1,566	1,116	450	33
SACRAMENTO 1/	5,598	2,925	2,673	461	322	139	70%	30%	104	69	35	23%
California 1/	5,598	2,925	2,673	461	322	139	70	30	104	69	35	23
CENTRAL OFFICE	6,006	3,077	2,929	2,152	1,272	880	59%	41%	405	228	177	19%
Florida	1,240	610	630	437	237	200	54	46	30	13	17	7
North Carolina	4,766	2,467	2,299	1,715	1,035	680	60	40	375	215	160	22

EXPLANATIONS

PHOENIX
Ariz: Incl pt of Calif (Colo
Excl pt of Ariz. (Ft. Mohave
Ft. Yuma). See also Sacrame
Area.
Calif: Incl pt of Ariz. (Ft.
& Ft. Yuma) & pt of Nev. (Ft
Have). See also Sacramento
See Ariz. and Nev. Excl pt
Calif (Colo River).
Nev: Incl pt of Ore (Ft McDerm
See also Portland Area. Inc
pt of Utah (Goshute). Excl
Calif (Ft Mohave).
Ore: Excl pt reported in Nev (
McDermitt). See also Portla
Area.
Utah: Excl pt of Nev. (Goshut
See also Albuquerque, Navajo,
and Portland Areas.
PORTLAND
Idaho: Excl pt reported in Ph
(Duck Valley--Nev).
Ore: Excl--see Phoenix (Ft Mc
Dermitt, Nev).
Utah: See also Albuquerque an
Phoenix Areas.
SACRAMENTO
Calif: Excl--see Phoenix (Ft
Mohave, Ft Yuma, and Colorad
River Reservations.)

1/ Resident population of 5,671 not included in labor force survey are as follows: California (3,797), Louisiana (268), and Nevada (1,606).

U.S. Department of the Interior
BUREAU OF INDIAN AFFAIRS

Code: [illegible]

INDIAN RESERVATION POPULATION, LABOR FORCE, AND UNEMPLOYMENT--MARCH 1969

(Tabulation of Items (a), (r), and (v) as reported by Agencies.)

	TOTAL RESIDENT POPULATION			LABOR FORCE (16 YEARS AND OVER)					UNEMPLOYED			
	Number			Number			% of Total		Number			% of L/F
	Total (1)	Male (2)	Female (3)	Total (4)	Male (5)	Female (6)	Col 5 / Col 4 (7)	Col 6 / Col 4 (8)	Total (9)	Male (10)	Female (11)	Col 9 / Col 4 (12)
BIA GRAND TOTAL POPULATION	456,520	229,386	227,134									
Not included in labor force survey	5,671	2,892	2,779									
Total in labor force survey	450,849	226,494	224,355	143,749	85,927	57,822	60%	40%	63,280	36,390	26,890	44%
ABERDEEN	46,094	23,280	22,814	13,262	8,232	5,030	62%	38%	7,214	4,589	2,625	54%
Nebraska	2,356	1,212	1,144	886	530	356	60	40	353	137	216	40
North Dakota	11,386	5,697	5,689	3,385	1,948	1,437	58	42	2,299	1,322	977	68
South Dakota	32,352	16,371	15,981	8,991	5,754	3,237	64	36	4,562	3,130	1,432	51
ALBUQUERQUE	28,297	14,141	14,156	10,459	5,610	4,849	54%	46%	4,985	2,299	2,686	48%
Colorado	2,026	1,042	984	572	406	166	71	29	227	189	38	40
New Mexico	26,271	13,099	13,172	9,887	5,204	4,683	53	47	4,758	2,110	2,648	48
ANADARKO	17,704	8,618	9,086	6,101	3,687	2,414	60%	40%	2,585	1,362	1,223	42%
Kansas	1,023	529	494	257	198	59	77	23	33	27	6	13
Oklahoma	16,681	8,089	8,592	5,844	3,489	2,355	60	40	2,552	1,335	1,217	44
BILLINGS	25,767	12,934	12,833	6,618	4,387	2,231	66%	34%	2,691	1,662	1,029	41%
Montana	21,755	10,985	10,770	5,521	3,636	1,885	66	34	2,172	1,359	813	39
Wyoming	4,012	1,949	2,063	1,097	751	346	68	32	519	303	216	47
JUNEAU	55,493	29,544	25,949	17,986	12,140	5,846	67%	33%	11,659	7,519	4,140	65%
Alaska	55,493	29,544	25,949	17,986	12,140	5,846	67	33	11,659	7,519	4,140	65
MINNEAPOLIS	18,402	9,351	9,051	5,675	3,807	1,868	67%	33%	2,228	1,344	884	39%
Iowa	497	253	244	124	89	35	72	28	24	22	2	19
Michigan	1,017	520	497	247	166	81	67	33	116	64	52	47
Minnesota	10,343	5,372	4,971	3,290	2,254	1,036	69	31	1,422	950	472	43
Wisconsin	6,545	3,206	3,339	2,014	1,298	716	64	36	666	308	358	33

[illegible]

ABERDEEN
[illegible]: Excl--see [illegible] (Kans).
N Dak: Excl--see S Dak.
S Dak: Incl pt of N Dak. (Sisseton & Standing Rock).
ALBUQUERQUE
Colo: Incl pt of N Mex & Utah (Ute Mt.).
Utah: Excl--see Colo. See also Navajo (Ariz), Phoenix (Nev), a[illegible] Portland (Idaho) Areas.
ANADARKO
Kans: Incl pt of Nebr ([illegible] and Sac & Fox).
Nebr: Excl--see Kans. See also Aberdeen Area.
Okla: Excl--see Muskogee Area.
MINNEAPOLIS
Minn: Excl--see Wis.
Wis: Incl pt of Minn. (Winnebago Houston County).
MUSKOGEE
Okla: Excl--see Anadarko Area.
NAVAJO
Ariz: Incl pt of N Mex & Utah (Navajo)
N Mex: Excl--see also Albuquerque Area.
Utah: Excl--see Ariz. See also Phoenix (Goshute--Nev, Skull Val and Uintah and [illegible]), and Port land (Washakie) Areas.

Table 1. ESTIMATES OF INDIAN POPULATION ON OR ADJACENT TO FEDERAL RESERVATIONS, BY STATE AND AREA: SEPTEMBER 1968

(includes Alaska Natives)

Bureau of Indian Affairs Total .... 452,000 16+ 249,000

State

Alaska[1/]	55,400	Nebraska	2,500
Arizona	105,900	Nevada	4,400
California	6,600	New Mexico	74,500
Colorado	1,600	North Carolina	4,600
Florida	1,200	North Dakota	13,600
Idaho	5,100	Oklahoma 2/	72,400
Iowa	500	Oregon	2,800
Kansas	1,000	South Dakota	30,000
Louisiana	300	Utah	5,700
Michigan	1,000	Washington	16,000
Minnesota	10,400	Wisconsin	6,500
Mississippi	3,200	Wyoming	4,100
Montana	23,100		

Administrative Area

Aberdeen Area	45,900	Muskogee Area	59,300
Albuquerque Area ...	28,800	Navajo Area	120,300
Anadarko Area	17,600	Phoenix Area	44,600
Billings Area	27,200	Portland Area	23,700
Juneau Area	55,400	Sacramento Area	5,100
Minneapolis Area ...	18,400	Central Office	5,800

NOTE: Details may not add to totals because of rounding. Adjustments made for the States where reservations overlap into another State.

1/ Includes all Indians and Natives in Alaska.

2/ Includes former reservation areas in Oklahoma.

Code: 907
March 1969

Return to
Dorothy
Van Kebel

U. S. INDIAN POPULATION (1962)
AND LAND (1963)

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
Washington, D. C.

November 1963

State and Area Totals -- Estimated Population and Reported Land.

STATE & AREA	Population of Reservations (Land Units)			Land Area (Acres)		
	Total	Within Units	Adjacent to Units	Tribal Land	Allotted Land	Gov't.-Owned
Alaska	38,332	1,012	37,320	87,636	9,723	4,064,502
Arizona	81,924	80,071	1,853	19,389,947	260,376	90,502
California	8,861	6,758	2,103	466,984	84,678	119
Colorado	1,411	1,303	108	746,290	5,021	573
Florida	1,003	739	264	79,014	-	-
Idaho	4,134	3,679	455	400,805	389,890	41,859
Iowa	531	490	41	4,105	-	-
Kansas	1,289	645	644	1,784	26,083	321
Louisiana	268	118	150	262	.16	-
Michigan	1,216	916	300	7,816	9,407	4,016
Minnesota	11,580	9,500	2,080	670,761	54,520	28,698
Mississippi	3,594	3,063	531	16,270	209	214
Missouri	-	-	-	-	373	-
Montana	20,566	18,963	1,603	1,627,839	3,617,089	128,263
Nebraska	2,196	2,078	118	14,239	52,775	322
Nevada	4,168	3,670	498	1,062,316	79,348	7,811
New Mexico	52,188	48,041	4,147	5,917,691	647,857	126,533
North Carolina	5,500	5,470	30	56,437	-	136
North Dakota	11,490	8,247	3,243	131,202	729,734	6,737
Oklahoma	61,769	57,543	4,226	58,519	1,583,998	33,313
Oregon	2,305	2,138	167	496,242	194,589	1,254
South Dakota	27,669	25,397	2,272	1,937,706	2,873,429	136,639
Texas	-	-	-	-	11	-
Utah	4,885	4,474	411	2,047,997	67,843	439
Washington	11,220	8,733	2,487	1,833,750	708,333	90
Wisconsin	5,322	4,149	1,173	60,088	84,854	39,447
Wyoming	3,758	3,417	341	1,761,074	126,603	962
TOTAL	367,179	300,614	66,565	38,876,774	11,606,743	4,712,750
Aberdeen	41,307	35,715	5,592	2,083,731	3,644,918	143,698
Anadarko	17,718	14,286	3,432	16,425	604,188	13,247
Billings	24,324	22,380	1,944	3,388,913	3,753,527	129,225
Gallup	109,132	104,598	4,534	16,731,758	760,739	78,886
Juneau	38,332	1,012	37,320	87,636	9,723	4,064,502
Minneapolis	18,649	15,055	3,594	742,141	148,781	72,161
Muskogee	49,250	47,090	2,160	60,455	1,007,675	20,601
Phoenix	36,931	34,373	2,558	12,672,606	307,211	147,091
Portland	17,414	14,305	3,109	2,566,983	1,293,452	43,203
Sacramento	7,619	5,591	2,028	390,675	76,529	-
Central Office	6,503	6,209	294	135,451	-	136

UNITED STATES
INDIAN
POPULATION AND LAND
1962

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
Washington, D. C.

March 1963

10. State and Area Totals -- Estimated Population and Reported Land.

STATE & AREA	Population of Reservations (Land Units)			Land Area (Acres)		
	Total	Within Units	Adjacent to Units	Tribal Land	Allotted Land	Gov't.- Owned
Alaska	38,332	1,012	37,320	87,636	9,311	4,064,714
Arizona	81,924	80,071	1,853	19,389,073	260,395	90,506
California	8,861	6,758	2,103	467,168	86,175	119
Colorado	1,411	1,303	108	746,420	5,131	573
Florida	1,003	739	264	78,974	0	0
Idaho	4,134	3,679	455	400,448	390,601	41,859
Iowa	531	490	41	4,105	0	0
Kansas	1,289	645	644	1,784	26,420	321
Louisiana	268	118	150	262	(.16)	0
Michigan	1,216	916	300	7,816	9,427	4,016
Minnesota	11,580	9,500	2,080	670,525	55,194	28,698
Mississippi	3,594	3,063	531	16,270	209	214
Missouri	0	0	0	0	373	0
Montana	20,566	18,963	1,603	1,613,201	3,640,283	128,286
Nebraska	2,196	2,078	118	14,235	52,818	322
Nevada	4,168	3,670	498	1,062,316	80,260	7,811
New Mexico	52,188	48,041	4,147	5,886,887	649,138	77,837
North Carolina	5,500	5,470	30	56,414	0	159
North Dakota	11,490	8,247	3,243	130,075	736,176	6,730
Oklahoma	61,769	57,543	4,226	58,627	1,638,609	35,469
Oregon	2,305	2,138	167	496,062	195,615	1,252
South Dakota	27,669	25,397	2,272	1,933,166	2,920,546	138,920
Texas	0	0	0	0	11	0
Utah	4,885	4,474	411	2,045,157	70,292	439
Washington	11,220	8,733	2,487	1,827,842	722,465	83
Wisconsin	5,322	4,149	1,173	60,015	86,048	39,447
Wyoming	3,758	3,417	341	1,759,596	127,663	1,499
TOTAL	367,179	300,614	66,565	38,814,074	11,763,160	4,669,274
Aberdeen	41,307	35,715	5,592	2,078,060	3,698,519	145,972
Anadarko	17,718	14,286	3,432	14,248	614,601	15,403
Billings	24,324	22,380	1,944	3,372,797	3,777,781	129,785
Gallup	109,132	104,598	4,534	16,701,084	762,130	78,870
Juneau	38,332	1,012	37,320	87,636	9,311	4,064,714
Minneapolis	18,649	15,055	3,594	741,832	150,669	72,161
Muskogee	49,250	47,090	2,160	62,740	1,052,211	20,601
Phoenix	36,931	34,373	2,558	12,668,893	310,591	98,415
Portland	17,414	14,305	3,109	2,560,538	1,309,321	43,194
Sacramento	7,619	5,591	2,028	390,858	78,026	0
Central Office	6,503	6,209	294	135,388	0	159

UNITED STATES

INDIAN

POPULATION AND LAND

1960-1961

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
Washington, D. C.

October 1961

10. State and Area Totals -- Estimated Population and Reported Land.

STATE & AREA	Population of Reservations (Land Units) April 1, 1960			Land Area (Acres) June 30, 1961		
	Total	Within Units	Adjacent to Units	Tribal Land	Allotted Land	Gov't.-Owned
Alaska	36,848	3,685	33,163	87,636	9,152	4,072,044
Arizona	69,345	67,657	1,688	21,231,099	260,315	23,507
*California	8,861	7,280	1,581	490,977	66,965	81
Colorado	1,263	1,101	162	746,420	5,131	570
Florida	683	616	67	78,974	0	0
Idaho	4,178	3,910	268	399,259	393,518	41,839
Iowa	485	485	0	4,105	0	40
Kansas	1,163	589	574	1,784	26,537	321
Louisiana	259	111	148	262	(.16)	0
Michigan	1,119	869	250	7,572	9,087	4,016
Minnesota	11,470	9,420	2,050	670,525	55,732	28,658
Mississippi	3,410	2,910	500	16,270	209	214
Missouri	0	0	0	0	372	0
Montana	18,739	17,473	1,266	1,597,290	3,681,489	128,286
Nebraska	2,255	2,139	116	14,190	53,098	322
Nevada	3,694	3,433	261	1,062,326	80,260	7,835
New Mexico	52,102	47,568	4,534	5,816,192	648,665	78,838
North Carolina	5,246	5,216	30	56,414	0	159
North Dakota	10,693	7,806	2,887	124,589	745,493	6,730
Oklahoma	57,763	53,076	4,687	59,343	1,701,065	35,139
*Oregon	3,383	2,860	523	496,224	197,439	1,258
South Carolina	353	353	0	3,389	0	0
South Dakota	25,990	24,040	1,950	1,890,971	2,987,102	140,226
Texas	0	0	0	0	11	0
*Utah	4,454	4,397	57	2,041,959	73,991	439
Washington	10,928	9,033	1,895	1,822,747	743,854	83
*Wisconsin	6,495	5,801	694	59,532	87,757	39,447
Wyoming	3,772	3,772	0	1,757,713	130,349	1,481
TOTAL	344,951	285,600	59,351	40,537,762	11,957,591	4,611,533
Aberdeen	38,890	33,978	4,912	2,030,379	3,774,511	147,278
Anadarko	16,313	11,995	4,318	14,325	635,150	15,613
Billings	22,511	21,245	1,266	3,355,003	3,821,833	129,767
Gallup	97,224	92,437	4,787	18,471,361	761,818	79,868
Juneau	36,848	3,685	33,163	87,636	9,152	4,072,044
*Minneapolis	19,569	16,575	2,994	741,105	152,576	72,161
Muskogee	46,330	44,698	1,632	63,334	1,094,234	20,061
*Phoenix	34,926	33,011	1,915	12,667,467	314,090	31,402
*Portland	18,394	15,708	2,686	2,553,616	1,335,451	43,180
*Sacramento	7,664	6,083	1,581	414,759	58,776	0
Central Office	6,282	6,185	97	138,777	0	159

*Population counts include units and groups terminated since April 1, 1960.

9. State Indian Populations -- 1960 Decennial Census.[1/]

States WITH Federal Reservations		States with NO Federal Reservations	
2/ Alaska	14,444	Alabama	1,276
Arizona	83,387	Arkansas	580
California	39,014	Connecticut	923
Colorado	4,288	Delaware	597
Florida	2,504	Georgia	749
Idaho	5,231	Hawaii	472
Iowa	1,708	Illinois	4,704
Kansas	5,069	Indiana	948
Louisiana	3,587	Kentucky	391
Michigan	9,701	Maine	1,879
Minnesota	15,496	Maryland	1,538
Mississippi	3,119	Massachusetts	2,118
Montana	21,181	3/ Missouri	1,723
Nebraska	5,545	New Hampshire	135
Nevada	6,681	New Jersey	1,699
New Mexico	56,255	New York	16,491
North Carolina	38,129	Ohio	1,910
North Dakota	11,736	Pennsylvania	2,122
Oklahoma	64,689	Rhode Island	932
Oregon	8,026	South Carolina	1,098
South Dakota	25,794	Tennessee	638
Utah	6,961	3/ Texas	5,750
Washington	21,076	Vermont	57
Wisconsin	14,297	Virginia	2,155
Wyoming	4,020	West Virginia	181
		District of Columbia	587
			51,653
	471,938		471,938
		Indians, Total	523,591
		2/ Eskimos and Aleuts (Alaska)	28,078
		2/ TOTAL	551,669

[1/] Differences between these figures and those which are presented elsewhere relate both to changes in population occurring since 1960 and to the fact that the Bureau's 1962 figures are only for persons living on trust or restricted land. See pages 3 and 4.

[2/] The figure of 28,078 officially released October 1963 represents the Alaskan native population (Aleuts 5,755, Eskimos 22,323) of Alaska. See page 2.

[3/] These states are listed in the following table (10) because they contain bits of off-reservation land, but they do not have any Federal Indian reservations.

NOTE: In 1960 a little more than half of the total number of Indians, Eskimos, and Aleuts lived within Federal reservations, and about five-eights of them lived within or adjacent to Federal reservations. The "adjacent to" group are Indians living nearby who have interests in the reservation, may be occasional residents, and may be getting Bureau services.

A study of county data shows that there has been considerable movement away from the reservations; and that a large portion of the off-reservation Indian population (especially in the states without Federal reservations) is concentrating in the larger cities.

1,000 or more Indians in 1950 are shown in Table A. In eight of them the Indian population in 1950 was more than twice as large as it was in 1940. Virginia has a few small reservations under State jurisdiction, while Texas and Kansas have small Federal reservations. All eight States would generally be considered non-Indian country. In general, the major increases in resident Indian population occur in States with little or no reservation lands. Increases below the national average were reported by eight of the reservation States. Oklahoma and South Carolina reported decreases in Indian population. In Oklahoma the total population (all races) decreased from 1940 to 1950.

While the greatest proportionate increases in Indian population have been in the non-reservation States, the reservation States still have higher proportions of Indians in the total population. Table B lists the Indian population as a percentage of the total population in the 37 States having more than 1,000 Indians. Arizona and New Mexico have more than one Indian in every 20 persons, while South Dakota, Nevada and Montana have more than one Indian in every 40 persons. Oklahoma, North Dakota and Wyoming are the only other States with more than one per cent Indian in the total population.

Table B. Proportion of Indians in Total Population by State: 1950

	Population		Per Cent
	Total	Indian	Indian
Total United States	150,697,361	421,600	0.3
Arizona	749,587	66,900	8.9
New Mexico	681,187	43,500	6.4
South Dakota	652,740	25,600	3.9
Nevada	160,083	6,100	3.8
Montana	591,024	18,100	3.1
Oklahoma	2,233,351	54,000	2.4
North Dakota	619,636	11,700	1.9
Wyoming	290,529	3,800	1.3
North Carolina	4,061,929	31,300	0.8
Washington	2,378,963	16,200	0.7
Utah	688,862	4,700	0.7
Idaho	588,637	4,200	0.7
Minnesota	2,982,483	14,000	0.5
Wisconsin	3,434,575	13,900	0.4
Oregon	1,521,341	6,800	0.4
Nebraska	1,325,510	5,700	0.4
California	10,586,223	24,600	0.2
Michigan	6,371,766	12,000	0.2
Kansas	1,905,299	3,600	0.2
Colorado	1,325,089	2,200	0.2
Maine	913,774	1,700	0.2
New York	14,830,192	15,200	0.1
Texas	7,711,194	5,200	0.1
Louisiana	2,683,516	3,200	0.1
Mississippi	2,178,914	3,100	0.1
Alabama	3,061,743	1,800	0.1
Iowa	2,621,073	1,700	0.1
Florida	2,771,305	1,400	0.1
Arkansas	1,909,511	1,100	0.1
South Carolina	2,117,027	1,100	0.1
Illinois	8,712,176	2,900	0.0
Ohio	7,946,627	2,300	0.0
Pennsylvania	10,498,012	2,300	0.0
Massachusetts	4,690,514	2,000	0.0
Virginia	3,318,680	1,600	0.0
New Jersey	4,835,329	1,200	0.0
Missouri	3,954,653	1,100	0.0

STATEMENT OF JOSEPH MYERS, EXECUTIVE DIRECTOR NATIONAL INDIAN JUSTICE CENTER, PETALUMA, CA

Today, there are several major impediments with which tribal courts must struggle in order to administer justice fairly and effectively in Indian country. Among these is the critical issue of funding. Historically, the funding of tribal courts has lacked adequacy and stability.

Only ten years ago the Bureau of Indian Affairs (BIA) established the Branch of Judicial Services (Judicial Services) to oversee the funding of tribal courts and to monitor a national training program for tribal court personnel. Previously, the funding of tribal courts was attached to the Division of Law Enforcement Services of the BIA. It amounted to a tribal court add-on to that budget, far from a federal or tribal priority in the development of tribal governments.

In 1977, the Branch of Judicial Services was created. Originally, it was staffed by a chief, an assistant and a secretary. Today, the staffing remains the same. However, its budget responsibility has increased. Judicial services in FY88 has allocated approximately 9 million dollars ($9,256,000) to the operation of 134 tribal courts (including CFR courts). It estimates that each court receives an average of $69,000 in federal funds for operational costs. That average must be reduced to reflect cuts that occur in the 638 process (indirect costs) and what a particular council, superintendent or area director decides to eliminate from the court budget.

Historically, the band analysis system has been an obstacle to the improvement of tribal court systems. Improvement efforts are subject to local whims which should have no effect upon determining the budget of a tribal court -- a council member's dissatisfaction with a judicial decision or an area director's indifference to the improvement of tribal judiciaries. Tribal courts must be funded based upon need measured by relevant criteria. This statement is directed to both federal and tribal funding sources. Federal officials must abandon the paternalism which walks the hallways of the BIA and become more creative in promoting independent judiciaries in tribal governments. Certain tribal officials maintain a choke hold on the independence of tribal judiciaries. This hold must be relinquished and a commitment must be made to fair and equal justice in Indian country.

We cannot ignore the fact that tribal courts have yet to receive adequate, stable funding. Often the critics of these courts fail to acknowledge that funding deficiencies account for performance problems. There must be a dramatic improvement in the funding of these tribal courts in order to develop capacity in some instances.

Studies estimate that in 1977 tribal courts processed approximately 70,000 cases. In 1985, figures indicate that 185,000 cases were handled by tribal courts and in FY87 tribal courts processed 230,000+ cases. As noted previously, funding for tribal courts in FY88 is $9,256,000.00. This amount is the same allocated by the BIA for the past three years for tribal courts. Despite a 30% increase in caseloads, the funding level of tribal courts is essentially frozen at the FY85 level. The present method of funding the operation of tribal courts with federal dollars does not rely upon a plan that measures present and future need. A formula must be developed that can be accepted as a reliable measuring device. Creating the formula is difficult because of the differences among the 134 courts serviced by federal funds.

Developing the Formula

First of all, substantial reliance upon caseload statistics to fund tribal courts will lead inevitably to a gross inflation of those statistics. Once the word is out, statistics will increase so that funding will increase. Unfortunately, statistics will become unreliable and additional bureaucratic entanglements usually take root.

To illustrate, if a defendant is charged with several offenses involving one incident, a court (operating under a caseload indicator) would open separate files on each charge instead of consolidating the charges. Additionally, police and prosecutors would charge defendants with every conceivable offense (knowing certain charges would be dropped before trial) in order to increase the caseload statistics. This is often the practice in state jurisdictions.

Increases in case statistics for the purpose of increasing the funding of the court system prompts public policy issues. For instance, such conditions may provide incentives to formally process all disorderly conduct and public intoxication cases. This may enrage affected communities and bring pressure to bear upon the tribal government. If we are concerned about reducing the incidents of alcohol abuse in Indian country, does jail provide any real answers?

We must not forget that cases, civil or criminal, often require vastly different investments of money and time of the court and its staff. For example, a disorderly conduct case may take very little time and money when compared to a complicated contract case or an exhaustive child custody case. Any counting of caseloads must rely upon a method which can be adjusted to compensate for such divergences in time. If no adjustments are made, courts which process time consuming civil cases in lower numbers would be penalized because courts that rely primarily upon high statistics which count criminal cases (easily and quickly processed) will have an obvious advantage.

There are significant funding considerations which vary from court to court and are not reflected in caseload statistics. For instance, several tribal courts are located in or near major urban areas where the cost of living is much higher than other regions of Indian country. In contrast, other tribal courts located on vast reservations require branch offices at additional costs for space and travel.

Other factors emerge making difficult the utilization of caseload statistics for determining the allocation of federal funds for tribal court operation. We need to incorporate other factors to compose a valid formula.

Caseload indicators alone do not reflect the educational qualifications or experience of tribal courts' personnel. Rather than pay the court staff higher salaries as caseloads increase, salaries should be based on bona fide occupational qualifications. legal education is an important component in the overall effort to improve tribal court systems. The personnel of these systems would have no incentive to enhance their educational credentials to assure quality if quantity becomes the only authorized, recognized standard.

Recommendation

A minimum funding level should be based upon an analysis of four factors:

- Jurisdictional Status
- Case Numbers and Types -- criminal, civil, domestic and guilty pleas
- Facilities -- single or multi-court facilities
- Personnel -- educational credentials

Once categories of minimum funding have been created using the above factors, courts should be given the opportunity to increase their particular funding level by demonstrating specific circumstances and requirements. Consideration should be given to the following:

- Courts which process a high percentage of complicated, time consuming cases (*i.e.*, child custody, contracts, probate, torts, etc.)
- Courts located in high cost of living areas.
- Courts which employ personnel with extraordinary education, experience and skills, elevating the system above the average operation. Consideration for continuing educational pursuits.
- A unique requirement of the court which justifies additional finding.

Certainly, the above formula may encounter problems similar to the caseload indicator model; however, such problems will be reduced and/or eliminated because additional factors give balance and avoid the appearance of arbitrariness.

Unfortunately, no formula can purport to address all tribal courts for all purposes. Some tribes require branch offices within each reservation due to the hardship that would otherwise be imposed if litigants had to travel long distances to a single court. Other systems may have juvenile cases sufficient in number to require a part time juvenile judge long before said position would appear on a caseload indicator chart. Often, a court administrator may be needed even in a smaller system when the judge or clerk may have had little or no administrative capability. Also, travel expenses may vary radically.

Whatever method one chooses to employ in assessing the funding requirements of tribal courts, it must be flexible. A formula based on several factors affords flexibility; however, that in and of itself is not the complete answer to creating a comprehensive formula for funding tribal courts.

The funding of most state courts relies upon needs assessments and statutory provisions. Inflation is also a consideration. These courts are not plagued by the divergences of the courts of Indian country. Jurisdiction is clearly defined. Personal requirements are standard. Funding has been adequate and stable and these courts have had ample opportunity to grow into effective judicial institutions. Unfortunately, tribal courts do not share the resource portfolio of state courts.

Even today several tribal courts exist on less than what it takes to pay the salary of a single state court judge. The largest tribal court system, the courts of the Navajo Nation, operates on a budget that needs to be increased by 100% in order to meet existing needs. The Navajo Reservation spreads across a three state area and is populated by more than 200,000 Navajos. The judicial budget is $1.2 million, including the $600,000 in federal funds. The budget operates the district courts throughout the huge reservation and the appellate system. Before the federal dollars reach the court, so-called administrative cuts are made. I have been informed that approximately 25% is lost in those deductions.

The bottom line is that the improvement of tribal courts must rely substantially upon adequate, stable funding of those systems now and in the future. Should the responsibility remain with the BIA or should a specific body be commissioned to allocate federal funds to tribal courts and to assure the provision of technical assistance and training? The recent efforts of the Bureau to establish an in-house judicial center has been received indifferently. Bureaucratic control of resources is suspect to many who work in tribal courts and other areas of tribal government. If the independent judiciaries in Indian country are contemplated goals, then resources must be delivered by independent firms and the National Indian Justice Center has been developed for that purpose.

Needs Assessment

The last detailed study of the tribal courts was conducted by the National American Indian Court Judges Association (NAICJA) in 1978 (**Indian Courts and the Future, 1978**). Most of the recommendations have been left undisturbed. Ten years ago the funding formula recommended did not make provision for professional salaries or jurisdictional status. It made a staffing assessment based upon a caseload indicator. The formula is set forth below.

Costs of the basic court staffing formula for typical small, medium and large courts were calculated as follows:

Small Court (1,000 cases/yr. capability)

1 judge x $14,000	$14,000
Associate judges x $55/day x 70 days	3,850
1 clerk x $8,000	8,000
1 prosecutor x $9,000	9,000
1 defender x $35/day x 130 days	4,550
1 probation/parole officer x $9,000 x 1/2 time	3,000
Total	**$46,900**

Medium Court (3,000 cases/yr. capability)

1 chief judge x $15,000	$15,000
1.5 associate judges x $14,000	21,000
1 chief clerk x $9,000	9,000
1 deputy clerk x $8,000	8,000
1 prosecutor x $9,000	9,000
1 defender x $35/day x 200 days	7,000
1 probation/parole officer x $9,000	9,000
jury fees - 75 days x $120/day	9,000
Total	**$87,000**

Large Court (8,000 cases/yr capability)

1 chief judge x $15,000	$15,000
2 associate judges x $14,000	28,000
1 court administrator x $12,000	12,000
1 chief clerk x $9,000	9,000
2 deputy clerks x $8,000	16,000
1 secretary x $7,000	7,000
2 prosecutors x $9,000	18,000
1 defender x $9,000	9,000
1 defender x $35/day x 70 days	2,450
2 probation/parole officers x $9,000	18,000
jury fees - 200 days x $120/day	24,000

Total	**$158,450**

Total annual costs can be projected as follows:

Small courts ($46,900 x 75)	$3,517,500
Medium courts ($87,000 x 26)	2,262,000
Large courts ($158,450 x 8)	1,267,600
Total Annual Cost	**$7,047,100**

Cost of area judicial officers:

6 area offices x $30,000/yr. (includes salary, benefits, and travel)	$180,000

Appellate Systems

There is a need to improve the appellate processes of the various tribal jurisdictions. Presently, the BIA intends to fund regional appellate systems. However, the manner in which this project has been undertaken may not produce cost effective results. A detailed study must be made of the regional needs to measure feasibility, council awareness and attitude to judicial responsibility, compliance methods, and a long range funding plan.

I am sure the funds being distributed under the current pilot project are welcomed by the tribes affected but we must be allocating funds according to a long-range plan based upon documented needs assessments.

Goals

If we are to bring health and stability to tribal governments, we must be concerned about the independence of tribal court decision-making from political retribution. Judicial review must become a reality and the federal funding of tribal courts must be based upon need and a funding formula to meet needs.

Direct funding may provide an answer. Presently, the 638 process relegates tribal courts to program status instead of an institution of government. Of course, the cry is going to be "infringement upon tribal sovereignty." However, those cries will come from only those federal and tribal officials who refuse to recognize the tribal judiciaries as equal branches of governments.

We must look forward to more important considerations. There are courts in Indian country that could effectively assert criminal jurisdiction over non-Indians and major crimes. Legislative efforts must be made to allow this expansion of jurisdiction on a case by case basis. Tribal courts must reach a level of competence at which genuine respect is accorded those systems by their respective communities.

Tribal courts like all judicial systems will never be perfect because justice is an imperfect concept. Heretofore tribal courts have received much indifference from some tribal leaders and federal officials. These courts must be afforded the opportunity to grow.

Thank you.

Intertribal Agriculture Council
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STATEMENT OF ROBERT MILLER, PRESIDENT
INTERTRIBAL AGRICULTURE COUNCIL
Before the SENATE SELECT COMMITTEE
for the
DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES ON THE
FY 1989 BUDGET, February 29, 1988, Washington, D.C.

Mr. Chairman and Members of the Committee, thank you for the opportunity, on behalf of the Intertribal Agriculture Council, to comment on the FY 1989 Budget of the Bureau of Indian Affairs and related agencies.

The Intertribal Agriculture Council (IAC), is a brand new organization, formed at a Charter Convention in Las Vegas, Nevada, on November 19, 1987. The IAC is established as an organization to be an effective advocacy group for Native American Indian agricultural interests and to provide tribal input to conserve, protect and develop agricultural resources.

The Charter Convention of the IAC was sponsored by the National Indian Agricultural Working Group (NIAWG) which was formed by the Assistant Secretary - Indian Affairs. The NIAWG consisted of 12 tribal representatives and 6 BIA representatives and was given the responsibility "to provide leadership in the areas of agriculture and land management and to effect improvements in the current Bureau of Indian Affairs programs and those of other federal entities." The NIAWG, in its report to the Secretary, provided recommendations to support tribal goals and objectives and to serve the needs of Indian and Alaskan Native Communities. (See Appendix 1 for the NIAWG's Report to the Secretary.)

In addition to providing the recommendations in their report, the Assistant Secretary - Indian Affairs and the NIAWG recognized that improvements will not materialize without sustained interest from Indian and Alaskan Native concerns. Consequently, NIAWG addressed this issue by preparing the foundation for the formation of IAC. NIAWG prepared draft Articles of Organization and scheduled a charter convention (11/16-19-87) in Las Vegas, Nevada.

The Convention, consisting of 84 tribal voting delegates (attendance totaled 350 participants) debated, finalized and ratified the Articles of Organization. Official business was conducted to form an Executive Board (comprised of a Tribal member from each BIA Area) and elect Board Officers.

As an Intertribal Council comprised entirely of dues paying member tribes, the IAC represents a membership of 84 tribes throughout the United States, including Alaska. These member tribes control 80 percent of the trust lands in this country, and an unknown quantity of currently restricted lands in Alaska.

Because this organization is only three months old, we have not yet researched or prepared major testimony on a variety of Agricultural issues. Once our initial efforts at establishing an internal administrative structure and function are completed, we will be able to expend more time and energy on the important task of representing our members in hearings of this nature.

We greatly appreciate your invitation to testify here today, and want to take this opportunity to thank you for your past budget support and recognition. We are truly thankful for receiving appropriated funding through the BIA for operational expenses for this fiscal year. IAC also realizes that other funding is necessary to promote the longevity of the organization and has conducted a fund raising endeavor with other federal agencies and the private sector.

PROBLEM STATEMENT:

At the present, Indian tribes are faced with a seemingly insurmountable challenge in Indian agriculture. Critical water shortages have forced the tribes to compete for limited water resources. Another challenge is the economic woes which prevail in national agri-business. Rising production costs and low rates of return have forced numerous small operators out of the business. This implies that if Indian agriculture is to prevail, new methods of productivity and appropriate technology must be found for economical direct marketing, production, and management. It is also important to ensure that tribal concerns and input take an important place in federal policy formation for agriculture. This is the primary concern of the IAC.

The BIA administers 54.5 million acres of Indian lands nationwide. About 47 million acres of these holdings consist of agriculture lands. Income from these lands amounts to $548.6 million annually, which benefits 33,572 individual and tribal enterprises. In comparison, the combined incomes for timber and mineral resources totals only 292.2 million. However, the Indian agriculture industry has been on the decline in recent years. This has occurred due to a shift in priorities by Indians and the BIA to education and social and economic development programs. Findings from the NIAWG and the BIA regarding this decline are listed below:

Only two percent of the BIA's budget, over the past decade, has been allocated to agricultural programs, despite the fact that 87 percent of trust land is agricultural land.

The BIA agriculture program is outdated and cannot adequately meet the needs of Indians.

Less than 40 percent of Indian farmlands and about 80 percent of grazing lands are utilized by Indian operators. Observed trends indicate the downward trend has been occurring in recent years.

Lack of Indian participation on local boards and committees has resulted in a loss of on-reservation assistance from other federal agencies.

Idle acreage on trust lands totaled 1,661,534 in 1985, and increased by 41.5 percent to 2,350,501 in a period of one year.

A 1987 GAO report estimated 145,450 acres on 14 reservations have been lost to foreclosure actions on lands owned by individual Indian farmers and ranchers.

The above findings represents an enormous under-utilization of one of the most important Indian economic resources. These problems are serious threats to reservation economies and the trust land base and can lead to increased dependence on the already overloaded public assistance programs.

The obvious conclusion reached by IAC in regard to those trends in Indian agriculture is that immediate remedial and mitigative actions to these problems must begin. Foremost of these problems is that of the tedious process of changing public policy on Indian agriculture. In an effort to assist in this process and present tribal viewpoints to important officials, the IAC has already established good working relationships with key BIA and USDA officials. We expect to also build good working relationships with members of Congress and their staff over the next few months. This coordination of efforts by all concerned should result in policy and program reforms to benefit Indian agriculture, increase land productivity, and implement the most up-to-date agriculture and conservation principles into Tribal Government.

As a first step in our efforts, the IAC is most pleased to report that we have reviewed the findings and recommendations of the National Indian Agriculture Working Group and are in general agreement with their recommended actions. We have selected a few of those recommendations as our first efforts at improving conditions for Indian agriculture. These initial actions can be accomplished in the short term with great positive benefit in Indian Country in this calendar year. We have listed those selected recommendations and means for accomplishment below.

The first recommendation of the NIAWG was to standardize the Bureau's Mission and Goals for its Agriculture program by defining and implementing a uniform policy throughout Indian country. We have asked the Assistant Secretary - Indian Affairs to do this.

The second area involves the improvement of the Leasing, Agricultural Credit and Irrigation Programs in the BIA, all critically important issues. The BIA Central Office has begun work in this area and in return, the IAC has established committees, consisting of members of our Executive Board and General Membership, to review and assist in the revision of these programs.

The third important issue in our view is the re-establishment of Agriculture Extension Agents to serve Indian communities. We commend the Assistant Secretary for recognizing the importance of this issue and his efforts to complete a Memorandum of Agreement between the BIA and the USDA in this regard.

In the Bureau's budget justification for FY 1989, page 123, is an item for Agriculture Technical Centers to begin progress toward this goal. Our preliminary research indicates an estimated cost of establishing Extension Agents on all reservations over 100,000 acres in size, at approximately $2,750,000. However, we strongly support this beginning effort and the current request for $700,000. In giving this support to the Bureau's request, we suggest that $450,000 be appropriated for this purpose and contracted to land grant colleges to provide bonafide Agricultural Extension Agents under the Cooperative Extension Service to specific reservations. These agents would provide technical assistance in Agriculture, Agri-business, financial record keeping, and perhaps most importantly will initiate 4-H and FFA programs for early training of Indian youth. The balance of the $700,000.00 or $250,000.00 should be designated as funding for the IAC for FY 1989.

The IAC is also concerned about the lack of Indian employees in agriculture programs. This personnel lack encompasses professional as well as non-professional positions, although the greatest need lies with the former. Very few Indians hold these responsible positions because of the lack of education. We propose that funds initially be provided to our Indian schools at Haskell, Kansas and Albuquerque, New Mexico to develop and implement cirrculum for training of technicians and to provide a means of matriculation to four year agriculture colleges. Although we have not had time to develop the costs associated with these programs, we believe we can provide them to you within the next two weeks. Education has always provided a means to the solving of problems and needs. We are convinced that it will be equally beneficial in Agriculture.

Another recommendation is the revision of certain labeling requirements of USDA to improve marketing the various Native American or Alaskan Native products. Examples are Wild Rice in the Great Lakes Region and Reindeer meat in Alaska. The IAC has started negotiations with the USDA, on these issues of special concern to our members.

In addition to the foregoing relatively simple tasks, the IAC is beginning a longer-term project to assess current agriculture programs in the Bureau and elsewhere, with the goal of proposing changes to improve opportunities for Self-Detemination and tribal co-management of their Natural Resources. We have no specific testimony on this issue yet, but are looking forward to working with Congress, the BIA, and the USDA on this task.

In conclusion, we wish to thank this important Committee for their time in listening to the Intertribal Agriculture Council as we work to improve life for Indian farmers and ranchers nationwide. The Board of Director's of IAC feel that additional appropriations through the BIA for Indian agriculture are needed if any meaningful changes or accomplishments are to be seen within Indian country.

IAC supports the Bureau's request for additional funds for Agricultural Extension as a first step, and hope to work with the Senate Select Committee on Indian Affairs in the future on addtional and more far-sighted efforts to improve the quality of life for Indians and Alaskan Natives. We also request continued financial support for the Intertribal Agriculture Council in the amount of $250,000 for FY 1989. This is not an increase in our current level of funding. However, to establish Agricultural Extension Agents on reservations and the continued support of IAC will require additional funds to be appropriated. If reprogramming of funds within the existing BIA Agriculture budget is used to achieve these two items, we believe that existing agricultural or other programs will be adversely affected. Tribal leadership is opposed to this reprogramming and feel that additional appropriations earmarked specifically for agriculture and range are essential.

PREPARED STATEMENT OF JOHN L. SAM, DIRECTOR, OFFICE OF INDIAN EDUCATION

I appreciate this opportunity to appear before you to discuss the fiscal year 1989 budget request for major Department of Education programs that serve Indians.

Indian Education

For the Indian Education Act -- the only Department of Education statute devoted solely to programs for Indians -- we are requesting $67.7 million, an increase of $1.3 million above the fiscal year 1988 appropriation. These increased funds will be applied to several of the programs authorized by the Act.

Part A: Grants to Local Educational Agencies and Indian-Controlled Schools

For Part A -- the largest component of the Indian Education Act -- we are asking $49.8 million, an increase of $678,000 over the 1988 level.

Part A supports two programs for Indian students. Under one, grants are awarded on a formula basis to local educational agencies. The other is a discretionary program under which grants are awarded on a competitive basis to Indian-controlled schools. Because Bureau of Indian Affairs contract schools are treated as LEAs under the formula program, these schools receive funds from both programs.

Part A formula grants must be used to supplement the regular school program. Projects provide tutoring, remedial reading and mathematics, counseling and guidance, and Indian cultural and heritage activities. The amount of an LEA's grant is based on a formula that multiplies its Indian student enrollment by the average per pupil expenditure in the State.

The discretionary funds are also used for special enrichment activities that supplement a regular school program. The amount of each grant is determined based on competitive applications submitted by tribes and Indian organizations that operate schools on or near reservations.

In fiscal year 1987, we awarded formula grants to 1,041 public and 57 BIA contract schools enrolling a total of 321,000 Indian children. Grants ranged from $1,100 to more than $1 million.

Discretionary funds went to 24 Indian-controlled schools serving almost 5,000 children, in amounts ranging from $30,000 to $387,000. Seventy-one percent of these schools also received Part A formula grants.

Formula payments to LEAs amounted to about $136 for each Indian child counted. Payments under the discretionary program averaged about $700 per child.

For 1989, we are proposing that the entire $678,000 increase be applied to the formula program, in order to maintain current services and to continue our policy of gradually equalizing per-child payments under the two Part A programs.

Part B: Special Programs for Indian Students

The budget request for Part B of the Indian Education Act is $11.8 million, an increase of $100,000 over the 1988 appropriation. Of the six programs that constitute Part B, two are designed to improve educational quality for Indian children; three help Indian students train for professional careers -- in education as well as other fields; and the sixth supports regional resource centers that provide technical assistance to Indian education projects.

Under the 1989 request, five of these programs would be continued at current levels. The $100,000 increase would be used for the regional centers, to expand their efforts to help LEAs achieve academic gains, strengthen program evaluations, and increase accountability.

Part C: Special Programs for Indian Adults

Under Part C of the Act, we are requesting $3.5 million, an increase of $500,000, to support education programs for Indian adults. Part C, which is a competitive grant program for Indian tribes and organizations, emphasizes adult basic education, especially literacy, and preparation for the high school equivalency exam. With the requested increase, we estimate that new projects will be able to reach approximately 800 additional people.

Salaries and Expenses

For program administration -- which includes the office I direct as well as the National Advisory Council on Indian Education -- the 1989 request is $2.5 million, an increase of $49,000. This increase is needed primarily to cover higher costs in salaries, benefits, travel, and other expenses.

Impact Aid

Maintenance and Operations

A significant portion of the funds appropriated for Section 3 of the Impact Aid program each year is distributed to school distri[illegible] that serve Indian children. Under the 1989 budget request for Section 3, 640 districts are expected to receive funds for the education of approximately 100,000 children residing on Indian lands. For 1989, we estimate that these payments will exceed $220 million.

For purposes of Impact Aid payments, all children residing on Indian lands are regarded as "a" children. The Department has proposed $547 million for payments for "a" children -- a $10.8 million or 2 percent increase. The budget request proposes a new graduated payment formula, based on the proportion of the district's enrollment made up of "a" children, with payments ranging from 100 percent to approximately 40 percent of entitlement. This formula would distribute funds more equitably than those used in recent years. It will maintain the high level of payments to many districts with Indian children and will increase payments for a number of other districts serving those children.

The 1989 budget request does not include payments for "b" children, because these children do not represent a significant burden to their school districts. Their parents and often their parents' employers contribute to the local tax base, which supports the public school system. School districts that include Indian lands would generally be unaffected by this change, since children who reside on Indian lands are counted as "a" children.

Construction

For Impact Aid construction activities, $25 million is requested for 1989, $12 million of which would be used for grants to districts that serve substantial numbers of Indian children and contain substantial areas of Indian lands. This sum should fund up to six school construction projects. For 1988, the appropriation for this activity is $10.1 million. In addition, more than $3.8 million in unused funds appropriated by the 1983 Jobs Bill is available for construction projects in districts that contain Indian lands. The combination of these funds should provide grants for up to six school construction projects in 1988, so over the next two years we should be able to support about 12 of these construction projects.

Vocational Education

Under the Carl D. Perkins Vocational Education Act, the 1989 request includes $11 million for Indian programs. This is an increase of $542,000 over the amount available in 1988.

Grants under the Indian vocational education program are awarded on a competitive basis to federally recognized Indian tribes and tribal organizations for services that are in addition to the services Indians are eligible to receive under other provisions of the Perkins Act. During the current year, fiscal year 1987 funds are supporting 46 tribal projects training approximately 2,900 participants.

Chapter 1

Legislation reauthorizing Chapter 1 is included in the omnibus bill known as H.R. 5, now pending before the Congress. This legislation will provide for continued operation of the Indian set-aside program.

One percent of the funds appropriated for the Chapter 1 program of compensatory education for disadvantaged children will continue to be allocated to the Outlying Areas and the BIA. Upon enactment of H.R. 5, the Administration will request $4.6 billion for compensatory education activities. Of that amount, the BIA would receive about $29 million to meet the special educational needs of educationally deprived children in its schools. This amount would represent an increase of about $2 million over the 1988 amount.

During the 1985-86 school year (the last year for which actual data are available), more than 15,000 Indian students in BIA schools participated in Chapter 1 programs. An additional 65,000 Indian students in public schools also participated in such programs. The numbers of Indian children receiving Chapter 1 services is expected to increase through 1989, as the Chapter 1 budget increases.

Bilingual Education

The Bilingual Education Act authorizes discretionary grants, primarily to local educational agencies, for programs for limited English proficient students. For purposes of the Act, an Indian tribe or tribally sanctioned educational authority is considered to be an LEA. Since its inception, this program has funded a significant number of projects designed wholly or in part to benefit Indian students. These projects primarily assist students in learning English and in meeting grade promotion and graduation requirements.

In 1987, grants were awarded to 86 local educational agencies for projects serving Indian students exclusively. These projects served almost 14,000 Indian students at a cost of $9.5 million. In addition, 71 other projects served some Indian students as well as students from other groups.

The 1989 request for Bilingual Education is $156.6 million, an increase of $10 million, or 9 percent, over the 1988 level.

Drug-Free Schools

Under the Drug-Free Schools and Communities Act, one percent of the funds is reserved for programs serving Indian children in BIA-operated or supported schools. The Department of Education has negotiated a memorandum of agreement to transfer these funds to the BIA, which will allocate the funds to its schools on a formula basis.

The Department's 1989 budget request includes $2.5 million for Indian drug education programs, an increase of $300,000 over the 1988 appropriation.

Vocational Rehabilitation

Under the Vocational Rehabilitation program, at least one-quarter of 1 percent of the State program funds must be set aside for grants to Indian tribes. Grants are awarded on a competitive basis to help tribes develop the capacity to provide vocational rehabilitation services to disabled Indians living on reservations.

The 1989 request for this program includes $3.5 million for the Indian set-aside, an increase of 2 percent over the 1988 level. We estimate that these funds will support 14 projects serving more than 2,700 people.

Libraries

The Library Services and Construction Act authorizes a set-aside of 1.5 percent for Indian tribes from Title I (Public Library Services), Title II (Public Library Construction), and Title III (Interlibrary Cooperation).

Grants are awarded to federally recognized tribes and Alaska Native villages for developing or improving public library services for Indian people. The law authorizes funds for a variety of purposes, including purchase of materials, library construction, personnel costs, and training. Two types of grants are made. Basic grants are distributed in equal amounts to eligible tribes that have submitted approved applications. The amount of the basic grant is determined by dividing the available funds by the number of eligible tribes and Alaska Native villages. Any remaining funds (that is, funds for which no qualified application is made) are then used for discretionary grants to support special projects developed in conformance with tribal plans for library services.

In fiscal year 1987, $662,000 was allocated in basic grants to 191 tribes and villages. The remaining $1.1 million was awarded to 17 special projects averaging about $67,000. In 1988, the total amount available for Indian programs is $1.8 million.

The 1989 budget request for libraries is based on legislation the Administration will propose, and includes funds to improve and expand library services to disadvantaged and handicapped individuals, including Indians.

Education for the Handicapped

Two Department of Education programs for handicapped children provide set-asides of 1.25 percent for services to Indian children on Federal reservations.

Funds from the Grants to States program are used for the education of handicapped children, ages 3 through 21. Funds from the Infants and Families program are used to coordinate early intervention services from various agencies for handicapped infants and toddlers and their families.

The 1989 budget request includes a total of $19 million for these program set-asides, an increase of $500,000, or almost 3 percent, over the 1988 level. Of this amount, $18.2 million is for the State program set-aside, while $835,000 is for the set-aside under the program for Infants and Families.

My colleague and I would now be happy to answer your questions.

PREPARED STATEMENT OF DR. JAMES E. BAUGH GENERAL DEPUTY ASSISTANT SECRETARY FOR PUBLIC AND INDIAN HOUSING DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. Chairman and Members of the Senate Select Committee on Indian Affairs. I appreciate the opportunity to represent the Department of Housing and Urban Development before your committee.

Since the early 1960's, HUD has provided assistance for both the development and management of housing in Indian and Alaska Native areas pursuant to be U.S. Housing Act of 1937, as amended. There presently are 173 Indian Housing Authorities (IHAs) managing over 61,000 homeownership and rental units. Also, approximately 9,800 additional units are in the development pipeline which should be available for occupancy within the next 2-3 years. Our Indian field offices will be reserving 2,000 units this fiscal year, including about 236 units utilizing recaptured funds.

Before I discuss budget matters, let me briefly summarize HUD's initiatives for improving the Indian Housing Program.

- We continue to accelerate construction starts and completions so that housing can be made available sooner for Indian families. We vigorously implemented Indian housing recapture and reuse policies and, as a result, provided additional units for Indian families.

- We completed the coordination, review and approval of Amerind, a third party claims administrator to provide required insurance coverage to IHAs.

- We continue to reduce the number of financially troubled IHAs. Tenant Accounts Receivables have declined in several Regions and remain stabilized in others.

- We are happy to report that the separate consolidated Indian Housing regulations will be published shortly for comment. For the first time, all regulations pertaining to Indian Housing will be in one place.

- We have executed a contract to provide technical assistance to an additional five troubled IHAs.

- We published a new Final Indian Preference regulation and provided training for our Indian Field Offices. This new regulation gives IHAs flexibility to select one of three alternative avenues of providing preference: 1) the Invitation for Bid method; 2) the Request for Proposal method; and 3) a local option submitted by the Tribe for HUD's approval.

- We have fully implemented an automated, cash-management system to provide development payments on a timely and reliable basis. This eliminates excess financing of IHAs. Estimated cash savings are $9 million annually.

- We have completed the installation of a computer tracking system (called MIRS) in the Office of Indian Housing and six Indian field offices. This tracking system produces nationally-accessible Indian Housing management and development data for effective remote monitoring of Indian Housing operations.

- We have issued a comprehensive handbook for use by field offices in monitoring IHA operations. The handbook includes the Administrative Capabilities Assessment (ACA) which provides an equitable and uniform tool to award development and modernization funds, to provide IHA awards, and to provide technical assistance.

- Finally, with great help from IHAs, we have continued to hold down Indian Housing development costs. The average Total Development Costs (TDC) have been reduced 24 percent (exclusive of water and sewer costs) from a high of almost $75,000 per unit in FY 1981 to $56,000 in FY 1986. This decrease is about 44% when cost of living adjustments are included. In FY 1987, total costs increased slightly due primarily to the inclusion of off-site water and sewer charges in unit costs.

Now let me address budget matters. In fiscal year 1987, HUD reserved $245 million for the development of 3,671 Indian housing units. This includes 1,367 units funded from $121 million of recaptured authority. Last year, construction was started on 3,412 units and another 3,469 units were made available for occupancy. In FY 1987, HUD also reserved $14.8 million for Indian housing contract amendments, $28.8 million in modernization funds, and $45.1 million in operating subsidy funds.

Secretary Pierce stated on February 18, 1988, as he discussed the President's FY 1989 budget for HUD:

> "The Budget I present continues our steady increase of housing assistance to those in need while maintaining the restraint on federal spending which is required to meet our deficit reduction goals. In doing so this budget is consistent with the priorities I set for the Department in 1981 and which we have pursued since that time."

The FY 1989 Budget requests an appropriation of $71.9 million for the development of 1,000 units of Indian and Alaska Native housing, including funds for off-site water and sewer facilities for these units. The FY 1989 Budget also contains $36.7 million for contract amendments for Public and Indian Housing projects in the development pipeline which recognizes a continuing commitment to complete these projects. Another $1 billion is requested in FY 1989 for Public and Indian Housing modernization needs of which 3 percent or approximately $30 million, will be available exclusively for Indian Housing. The total obligation for operating subsides will be $1.5 billion in 1988. Historically, about 3 percent of total operating subsidy funds are provided to IHAs.

In addition, the 1989 Budget proposes $1.5 million to contract for technical assistance to troubled PHAs and IHAs. About $150,000 is expected to be used for IHAs.

Based on the Conference Report on the 1988 Appropriations Act, the 1989 Budget reflects $147.8 milion in 1988 for the development of 2,003 Indian Housing units. This total includes $17.4 million estimated to be recaptured in 1988 which would fund 236 units. Also included is $191 thousand unreserved in 1987 which is available for use in 1988. In addition, $28.4 million is available in 1988 for Indian Housing contract amendments. We will be assigning the available funds for development to our Indian Field Offices very soon.

We already have assigned $54 million to the Indian field offices for Indian Housing modernization needs. We also are engaged in planning for the use of $100,000 available in FY 1988 for contractual assistance to troubled IHAs.

In closing, I appreciate the opportunity to testify before your committee regarding the 1989 Budget for the Indian Housing program. I believe this Administration has a record of significant improvements to the Indian Housing program. This has led to better housing and better use of taxpayers dollars.

This concludes my prepared remarks. I will be happy to answer any questions.

PREPARED STATEMENT OF VIRGINIA E. SPENCER

Mr. Chairman and members of the Select Committee on Indian Affairs, my name is Virginia Spencer and I am Executive Director of the National American Indian Housing Council. I am pleased to be here today to testify on the Administration's proposed FY89 budget for Indian housing. I also want to thank you, Chairman Inouye, and other members of this Committee, for your support and commitment to Indian housing expressed by your sponsorship and introduction of Senate Bill 1987, the "Indian Housing Act of 1987."

Figures from the 1987 Bureau of Indian Affairs Consolidated Housing Inventory show that some 92,970 Indian families are in need of assistance. Over 53,000 need new homes, and nearly 40,000 need their homes renovated. The Department of Housing and Urban Development (HUD) is the agency that has the responsibility for financing new homes. The Bureau of Indian Affairs provides funds for the rehabilitation of homes under its Housing Improvement Program. In addition to providing decent houses, the Federal government has the responsibility of providing safe drinking water and sanitary facilites to Indian homes. The Indian Health Service's Environmental Health Division is the agency with this responsibility.

In the Administration's FY89 budget proposal, HUD Secretary Pierce has once again slashed Indian housing to the bone: the request is for 1,000 units to assist Indian families plus a proposed recission on any recaptured units. This is a 50 percent cut from FY88 funding. At that rate, the existing need for new homes will not even be met in my lifetime. Since 1980, the Indian population has increased by 23 percent. The Indian children born in this decade may never experience decent housing comparable to the rest of the nation's population. Under the Bureau of Indian Affairs Housing Improvement Program, the Administration is requesting $17.223 million, a 25 percent cut from FY88. In addition, nearly 20 percent of our Indian communities still lack basic water, sanitary sewage and solid waste disposal facilities. Only two percent of the nation still experiences these problems. In the FY89 budget proposal, however, the Administration has recommended zero funding for safe water development and related facilities for the eighth year in a row.

Housing assistance programs were developed in the 1930's and 1940's for the underserved in the rest of the nation. Indian housing needs were ignored until the 1960's when the Department of Housing and Urban Development administratively "discovered" that it could serve Indian tribes under the Public Housing Program. Over 60,000 homes have been built since that time and Indian communities have made great progress in improving living conditions with aid from the Federal government. Now is not the time to lessen that assistance. Due to low incomes, high unemployment and the trust status of Indian lands, many Indian families are forced to live in substandard housing all of their lives if they choose to continue to live on their traditional homelands. The alternative is to join the ranks of the homeless or compete for other assisted housing dollars in our nation's cities. Many Indian families choose to stay on the reservation or their homelands, doubling or even tripling up -- the Indian equivalent of "homeless." The results are worsening health conditions, overcrowding, social disruption and the breaking up of families.

A minimum of 6,000 units per year of new construction is needed which could meet the existing need for new Indian homes for the lower income families in about ten years. At approximately $70,000 in today's dollars, an appropriation of $402 million per year would alleviate the biggest housing problems in Indian areas. If you add in funding for rehabilitation and a guarantee for financing homes for middle income Indians on trust lands, a yearly appropriation of a half billion dollars would eliminate substandard housing in Indian communities across the nation before the year 2000! The National American Indian Housing Council recommends that the Committee consider this funding amount.

In addition to opposing the Administration's proposed budget cuts, the National American Indian Housing Council would like to reaffirm its support of the Indian Health Care Amendments and the proposals to codify both the Bureau of Indian Affairs Housing Improvement Program and the HUD Indian Housing Program. The latter has been introduced as Senate Bill 1987.

The proposal to codify the HUD Indian Housing Program under a separate title in the U. S. Housing Act has been introduced by members of this Committee. The measure, originating out of the HUD Secretary's Committee on Indian and Alaska Native Programs, is the first step in designing a housing program that is more relevant and appropriate to Indian areas. The provision of housing assistance to Indians differs radically from providing housing to help the nation's urban poor. The lack of infrastructure, remote rural locations, and wide cultural, as well as geographical, diversity complicates the delivery of housing to Indians and Alaska Natives. In addition, there exists a legal, government-to-government relationship between the Federal government and Indian peoples. These elements, must be considered in the design of the program. Senate Bill 1987 is supported by the members of the National American Indian Housing Council and we look forward to hearings and early passage of this important legislation.

Mr. Chairman, the Indian population has increased by nearly one fourth since 1980. This indicates a growing need for housing for Indians in the coming years. I urge the Committee to provide adequate funding for the existing programs to deal with the unmet need which, with your help, could be met by the end of this century. In addition, I am including copies of NAIHC's membership resolutions on a number of housing subjects which I wish to include as part of the hearing record.

Thank you very much.

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO.87-3

WHEREAS, The National American Indian Housing Council incorporates under its membership Indian Housing Authorities representing Tribes located throughout the United States; and

WHEREAS, The primary goal of Indian Housing Authorities is to provide safe, decent and sanitary housing to its respective Tribes on a continuing basis; and

WHEREAS, In respect to that responsibility for the provision of new housing, the National American Indian Housing Council recognizes the declining assistance from the Department of Housing and Urban Development; and

WHEREAS, The National American Indian Housing Council agrees that the federal deficit must be reduced, however, the domestic programs, particularly Indian Housing, have already suffered not only disproportionate but life threatening cuts, and should not face the further burden of deficit reductions; and

WHEREAS, There is no program as successful at housing 60,000 low income families residing in Indian and Alaskan communities as the Department of Housing and Urban Development's Indian Housing Program, and the goal of providing housing assistance to Native Americans can only be accomplished through the continuing federal support of the HUD Indian Housing Program; and

WHEREAS, The National American Indian Housing Council estimate that there is a continuing need of 6,000 homes allocated on an annual basis to meet the severe housing needs of Native American communities whose sole source of housing is the Federal government;

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council supports the approval of 6,000 new units of housing to the Department of Housing and Urban Development's Indian Housing Program for Fiscal Year 1987, 1988 and until the unmet need is satisfied.

BE IT FURTHER RESOLVED That the National American Indian Housing Council demands that the Federal government of the United States live up to this commitment and also to provide the necessary technical assistance to effectively administer the HUD Indian Housing Program at that level.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-3 WAS APPROVED 96 FOR AND 0 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson

Secretary, Coni Wilson

June 16, 1987

Chairman, Wayne Chico

DATE

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO.87-4

WHEREAS, Many old Mutual Help and Occupancy Agreements establish and require conveyance of units upon the elimination of debt on their projects; and

WHEREAS, The Consolidated Budget Reconciliation Act of 1985 (Section 3004) requires the Secretary of the Department of Housing and Urban Development to forgive all debt on Indian and public housing projects; and

WHEREAS, The Secretary of the Department of Housing and Urban Development to date has not forgiven said debt on the old Mutual Help projects; and

WHEREAS, Conveyance of old Mutual Help homeownership units would not establish a precedent for conveying other types of units, including rental units; and

WHEREAS, Debt forgiveness and conveyance would not require the Department of Housing and Urban Development and Indian Housing Authorities to convey individual units until participants' delinquencies are paid; and

WHEREAS, The Department of Housing and Urban Development can establish methods to permit those authorities and individual participants not wishing to convey these units at this time to maintain the units in some form of authority ownership; and

WHEREAS, A significant number of Indian Housing Authorities wish to convey their old Mutual Help units to their participants.

NOW, THEREFORE, BE IT RESOLVED That National American Indian Housing Council calls upon the Secretary of the Department of Housing and Urban Development to forgive all debt to the Indian Housing Authorities on old Mutual Help projects without any further delay and to provide individual housing authorities and their participants with the option of whether to convey old mutual help units.

BE IT FURTHER RESOLVED That the Department of Housing and Urban Development take immediate action to establish a committee composed of HUD, Tribal and Housing Authority personnel from each region to write the regulations prior to implementation regarding debt forgiveness for Indian Housing Authorities and to consult with each Indian Housing Authority regarding those regulations.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-4 WAS APPROVED 92 FOR AND 2 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson

Secretary, Coni Wilson

June 16, 1987

Chairman, Wayne Chico

DATE

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. 87-5

WHEREAS, Consolidated regulations for the Indian Housing Program have been drafted within the Department of Housing and Urban Development; and

WHEREAS, The consolidated regulations will provide a tremendous benefit to Indian Housing Authorities in implementing the Indian Housing Programs; and

WHEREAS, No information has been offered by the Central Office of the Department of Housing and Urban Development as to the status of the consolidated regulations.

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council demands that the administration of the Department of Housing and Urban Development pursue and produce the consolidated regulations for Indian Housing at the earliest possible date.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-5 WAS APPROVED 99 FOR AND 0 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson
Secretary, Coni Wilson

Chairman, Wayne Chico

June 16, 1987
DATE

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. 87-6

WHEREAS, The National American Indian Housing Council has consistently supported policies and legislation which has been in the best interest of ALL Indian people residing in the United States of America; and

WHEREAS, The National American Indian Housing Council has as one of its purposes to provide constant surveillance of the Department of Housing and Urban Development's policies and legislation to ensure better housing programs for ALL Indian people; and

WHEREAS, A significant Indian population would not be provided with safe and sanitary dwellings if housing program eligibility criteria did not include Indian people living in Indian Country as well as Reservation Areas and Alaska Native areas;

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council re-affirms its insistence upon inclusion of Indian Country, Reservation Areas and Alaska Native Areas as eligibility criteria for all Indian Housing Programs.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-6 WAS APPROVED 96 FOR AND 0 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson
Secretary, Coni Wilson

June 16, 1987

Chairman, Wayne Chico

Date

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. 87-8

WHEREAS, The Indian Housing Program was established to provide decent, safe and sanitary housing for Indian and Alaska Native populations of the United States of America; and

WHEREAS, The housing needs of Indian Country are significantly different from the housing needs of public housing; and

WHEREAS, Separate legislation to codify the Indian Housing Program would provide a great benefit to program administrators in the implementation of the programs; and

WHEREAS, It would be in the best interests of all concerned to provide for significant Indian input into the codification of the Indian Housing Program;

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council supports the codification of the Indian Housing Program under a separate Title within the Department of Housing and Urban Development with the following changes from the current law:

(a) Reduction of the 30% rule to 20%.

(b) Revision of the 95/5 rule to 75/75.

(c) Provision for re-use of recaptured funds for the Indian Housing Program.

(d) Provision to provide for the unique requirements of the Alaskan Indian Housing Authorities and their continued participation.

BE IT FURTHER RESOLVED That joint jurisdiction over the codification bill be provided by the Senate Banking Committee and the Senate Select Committee on Indian Affairs.

BE IT FURTHER RESOLVED That all Indian Housing Authorities consult with their Tribal Governments and that each submit their ideas and recommendations to their appropriate Congressional Delegations and Committees on this codification issue.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-8 WAS APPROVED 91 FOR AND 0 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson
Secretary, Coni Wilson

June 16, 1987

Chairman, Wayne Chico
DATE

NATIONAL AMERICAN INDIAN HOUSING COUNCIL
321 D Street, N.E. 2nd Floor
Washington, D.C. 20002

Wayne Chico
Chairman
(602) 383-2202

Virginia E. Spencer
Executive Director
(202) 546-0091

NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. 87-9

WHEREAS, The current Housing Improvement Program is authorized under the Snyder Act within the United States Department of the Interior and controlled by the Bureau of Indian Affairs; and

WHEREAS, The bureau of Indian Affairs has taken it upon itself to make alterations in the program virtually at will and without Tribal consultation; and

WHEREAS, The alterations in the Housing Improvement Program, as initiated by the Bureau of Indian Affairs, are not always in the best interest of the Tribes;

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council supports the codification of current Housing Improvement Program Regulations into legislation for passage into law.

BE IT FURTHER RESOLVED That the Housing Authorities support their Tribal Governments in submitting input to their appropriate congressional delegations and committees on the codification into law of the Housing Improvement Program Regulations.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-9 WAS APPROVED 88 FOR AND 1 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson

Secretary, Coni Wilson

Chairman, Wayne Chico

June 16, 1987

DATE

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO.87-10

WHEREAS, The Indian Health Service is an integral part of Indian Housing initiatives; and

WHEREAS, The greatest service can be provided to Indian Country by a strong, viable, adequately funded and properly structured Indian Health Service Program; and

WHEREAS, Sickness and disease are directly related to the level of sanitation, water and solid waste services available to the Native American population; and

WHEREAS, There is an established, documented need for expanded services and enhanced funding levels to insure adequate health care in Indian Country;

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council supports the passage of the Indian Health Care Improvement Act at the earliest possible date to alleviate the burden and suffering of Native American people.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-10 WAS APPROVED 94 FOR AND 0 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson
Secretary, Coni Wilson

Chairman, Wayne Chico

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. 87-11

WHEREAS, New Indian Preference Regulations have been initiated within the past year; and

WHEREAS, The general conditions as they pertain to the development of Indian Housing have been altered in the recent past.

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council requests that the Department of Housing and Urban Development establish guidelines and draft boiler plate language for implementation of the new Indian Preference Regulations for housing development.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-11 WAS APPROVED 88 FOR AND 0 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson
Secretary, Coni Wilson

June 16, 1987

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. '87-12

WHEREAS, The provisions to convert Rental units to Mutual Help units have been initiated by the Department of Housing and Urban Development; and

WHEREAS, Many Indian Housing Authorities are interested in seeking the option to convert units from Rental to Mutual Help in the best interests of their programs; and

WHEREAS, Such guidelines for the conversion of Rental units to Mutual Help units has not been forthcoming from the Department of Housing and Urban Development.

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council requests that guidelines be provided by the Department of Housing and Urban Development for the conversion of low income Rental units to Mutual Help units at the earliest possible date.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-12 WAS APPROVED 85 FOR AND 5 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson
Secretary, Coni Wilson

Chairman, Wayne Chico

June 16, 1987
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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. 87-13

WHEREAS, The National American Indian Housing Council is concerned about the high rent and homebuyer payments imposed on the people participating in the Department of Housing and Urban Development's Indian Housing Rental and Mutual Help Programs; and

WHEREAS, The current method of calculating rent and homebuyer payments penalizes program participants who are fortunate enough to secure employment by creating a situation which could reward program participants with lowered rent and homebuyer payments for being untruthful when reporting income and causes an additional excessive burden on the income of program participants without regard to high utility and living costs;

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council requests that the Department of Housing and Urban Development re-establish certain deductions to be subtracted from the Rental, Mutual Help and Turnkey III program participant's annual income, after taxes, consisting of, but not limited to:

(1) A personal exemption of $1,000 per household member;

(2) A deduction for costs of child care, provided such costs are documented;

(3) A deduction for all documented costs incurred from any and all artificial barriers to employment consisting of, but not limited to:

  (a) Cost of travel to and from place of employment;

  (b) Employment required clothing and tools;

  (c) Cost of uniforms and cleaning;

  (d) Employment required insurance and retirement premiums

(4) A medical deduction of medical costs in excess of three percent (3%) of the total family income;

(5) Minor children's dividend checks.

BE IT FURTHER RESOLVED That a rental ceiling be established at not more than seventy-five percent (75%) of the fair rental rate established for the county wherein the unit is located.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-13 WAS APPROVED 86 FOR AND 1 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson

Secretary, Coni Wilson

Chairman, Wayne Chico

June 16, 1987

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NATIONAL AMERICAN INDIAN HOUSING COUNCIL

RESOLUTION NO. 87-14

WHEREAS, The National American Indian Housing Council vigorously promotes the provision of at least 6,000 dwelling units to Indian and Alaska Native Communities on an annual basis; and

WHEREAS, The National American Indian Housing Council additionally promotes that an equitable distribution of units from the Department of Housing and Urban Development annual allocation to be administered by its field offices; and

WHEREAS, An equitable distribution of HUD dwelling units shall include consideration of regional population and housing needs as may be referenced and supported by HUD assessment studies and the Bureau of Indian Affairs annual inventory of homes located in Alaska Native and Indian communities; and

WHEREAS, the NAIHC sees a need to provide for an increase in the allocation of Indian housing units by redefining the term "pipeline" to refer to units allocated but not under construction;

NOW, THEREFORE, BE IT RESOLVED That the National American Indian Housing Council defines "pipeline" as follows:

> The HUD pipeline is the period of time beginning when a program reservation is awarded to an Indian Housing Authority and ending when the Indian Housing Authority issues a HUD-approved construction contract to a developer or a contractor for the designated program reservation and project(s); since a timetable from start of construction to Date of Full Availability is established for the project by the construction contract, these projects should not be considered part of the pipeline but as "Under Construction."

BE IT FURTHER RESOLVED That National American Indian Housing Council hereby recommends that the Central Office of the Department of Housing and Urban Development immediately redefine its policy and that the modifications be implemented for fiscal year 1987 and all new housing allocations to Indian Housing Authorities in the ten HUD regions.

CERTIFICATION

AS THE DULY APPOINTED SECRETARY FOR THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL I HEREBY CERTIFY RESOLUTION NO. 87-14 WAS APPROVED 94 FOR AND 0 AGAINST AT THE 1987 ANNUAL CONVENTION IN SPARKS, NEVADA.

Coni Wilson

Secretary, Coni Wilson

June 16, 1987

Chairman, Wayne Chico

DATE

PREPARED STATEMENT OF LIONEL BORDEAUX, PRESIDENT THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

Good morning Mr. Chairman. My name is Lionel Bordeaux and I am here this morning to present testimony on behalf of the American Indian Higher Education Consortium (AIHEC) and the tribally controlled colleges which comprise our membership.

Mr. Chairman, I shall not take up a great amount of the Committee's valuable time this morning. My message is short and quite frankly, I hope straight to the point.

The Bureau of Indian Affairs FY '89 budget as submitted last week represents a total lack of understanding of the role the tribal colleges play within Indian country and also in my opinion, can be interpreted as almost a desire on the part of this Administration to wish upon the tribal colleges -- nothing but failure.

The Bureau is requesting a reduction in funding for both the Title I schools and the Navajo Community College which is funded under Title II, from what was received in FY 1988. Last year's request was just as ridiculous and thanks to the Congress who recognized our need for stable funding, the twenty tribal colleges collectively received a $750,000 increase over the Bureau's FY '88 request. The FY '89 request sought by the Bureau reduces tribal college funding almost below what we were receiving in FY '87.

Mr. Chairman, how do you interpret this? How should we interpret this budget? If the colleges represented a federal experiment in local control and in higher education in general which has failed, I could understand such a request. But, the contrary is true. Since the colleges first received funding in FY '81 under the Tribally Controlled Community College Assistance Act, we have graduated over 3,500 students with either A.A., B.S., A.S. degrees or other certifiable vocational training. Placement of graduates in jobs or advanced educational opportunities is as high as 85%, a percentage remarkable in view of the astronomical unemployment rate in surrounding reservation environments. We now have two institutions which are fully accredited at the 4-year level and are now even offering graduate level courses. Eight others are fully accredited at the 2-year level and five others are candidates for accreditation. Tell me, is this an example of failure?

Mr. Chairman, all we have ever asked from Congress and the Bureau each year as we come before you seeking assistance, is that somehow we be funded at a level comparable to what a public community college is funded at on a per student basis based on the dollars received from local and state funds. That amount conservatively approximates $4,000 per student. We once again are requesting that amount although we recognize that Congress must address the total picture. At the very least Mr. Chairman, I would think we should be granted an increase comparable to what the Department of Education programs have received in this year's Administration's budget, which is an 8% increase. Is that asking to much?

The Bureau justifies their request on the fact that they claim the legislation on which our funding is based was never intended to fund the total operational expenses of a tribal college. The Bureau feels that the original intent of the Congress was that a tribal college should seek funding from other sources, i.e. private foundations, tuition fees etc. Mr. Chairman, I challenge this Committee, the Bureau of Indian Affairs, the Office of Management and Budget or whomever, to show me a quote made from those working on that legislation during the period 1977-78 which could be interpreted to mean that it was the original intent of this legislation to provide only seed money to the colleges -- that they were expected to seek other dollars to cover their total cost of operation and maintenance. The intent of the Tribally Controlled Community College Assistance Act was at its outset to grant the tribally controlled community colleges the funds -- based on a formula developed on the cost per student of public institutions of higher education -- to operate and maintain their total facility. The legislation does not say --- for part of their operation and maintenance. Reality dictates that we must seek funding elsewhere and we do. We charge our students a tuition, but as they say, "you can't squeeze blood out of a turnip". We also seek private funding and have in fact, created a separate entity, The American Indian College Fund, which is doing just that. It is however, only in its infancy and we cannot now look to it to bring in the difference between what we need and what we receive from the Tribally Controlled Community College Assistance Act. Hopefully someday soon we will, thus we are requesting the full $5,000,000 be appropriated as is authorized under P.L. 98-192. Any hope we have to attain self-sufficiency rests with the need for adequate funding of the endowment provision. Please know Mr. Chairman, that this is our goal -- self-sufficiency. Hopefully we will someday be in a situation financially where we will not be so dependent on federal funding as is now the case. But only as I said above, will this be achieved through the funds our institutions can receive through the endowment provision. Thus, it needs to be fully funded.

This brings up another point. The Bureau last year suggested that the endowment line item (Title III of P.L. 98-192) be funded for the first time at $500,000, which is considerably less than the $5,000,000 authorized. It was a start. However, because the

Bureau has still not promulgated regulations implementing the program, the $500,000 appropriated for FY '88 has still not been distributed.

On top of that, the Bureau in their FY '89 Budget which is before you tells the Congress they wish to evaluate how the program is working before they request further funds. Thus, they justify zero funding in their FY '89 request.

Tell me Mr. Chairman, how do you view what I have said? Everything you look at tells the colleges that the Bureau wishes them to fail. There is no advocacy at 18th and C Streets, N.W. for tribally controlled community colleges.

We need construction funding badly. The major weakness in nearly every accreditation report done on a tribal college other than the lack of a stable funding source, is the issue of inadequate facilities. Yet the Bureau has dragged their feet in addressing this issue and of course has requested no funding for FY '89.

Mr. Chairman in closing I ask that you review the attached budget request knowing that it represents a real picture of what our financial needs are. We anticipate two additional colleges to come into the program during FY '89, Fond du Lac Community College in Minnesota and Bay Mills Community College in Michigan. Again, this represents another mark of success and another example of true tribal control. Obviously with the additions of two more tribal colleges the pressures for more funds become more real. Both of these institutions are currently operating and collectively will add approximately another 200 Indian fulltime students into the program.

Please note also Mr. Chairman, that the needs of Haskell Indian Junior College and the United Tribes Technical College are included in our total FY '89 budget request. Both of these institutions are members of AIHEC and the Bureau budget also reflects decreases to their FY '89 funding.

Mr. Chairman, our success over these past years has come about because the Congress has realized and accepted the fact that the tribal colleges play a very important and vital role in the development of Indian communities throughout the country. Our success certainly cannot be attributed to the Bureau advocating on our behalf. We are hopeful that once again you will come to our aid by giving our request your most sincere consideration. Let me leave you with this final thought. AIHEC would put forth a challenge to the Bureau to identify at least one other federal program currently being administered by the federal government or by tribes themselves which is any more successful than the tribally controlled community colleges.

AIHEC also would like to make clear to the Committee that we also support the increased funding needs for the Special Graduate Scholarship Program which is administered through a contract with American Indian Scholarships, Inc. (AIS) of Albuquerque, New Mexico. In FY '89 the Administration is only requesting $1.5 million; the real program need is $2.5 million.

Thank you Mr. Chairman for your time and we once again request that the Committee give our request their sincere consideration.

THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

FY '89 BUDGET REQUEST

Who makes up the American Indian Higher Education Consortium?

The American Indian Higher Education Consortium (AIHEC) represents 20 tribally owned and operated colleges. Of the 20, 19 are now receiving operational grants as authorized under Title I of the Tribally Controlled Community College Assistance Act, P.L. 95-471 as amended. One college (Navajo Community College) receives its funding under Title II of the Act.

The Title I colleges are located:

STATE OF MONTANA
Blackfeet Community College
Fort Belknap Community College
Little Big Horn College
Salish Kootenai College
Dull Knife Memorial College
Fort Peck Community College
Stone Child College

STATE OF NORTH DAKOTA
Fort Berthold Community College
Standing Rock College
Little Hoop Community College
Turtle Mt. Community College

STATE OF SOUTH DAKOTA
Cheyenne River Community College
Sinte Gleska College
Oglala Lakota College
Sisseton Wahpeton Comm. Coll

CALIFORNIA
D.Q. University

NEBRASKA
Nebraska Indian Community College

WASHINGTON
Lummi Indian Community College

WISCONSIN
Lac Courtes Orielles-Ojibway Community College

Title II College
ARIZONA
Navajo Community College

AIHEC is also comprised of four additional institutions of postsecondary education; two in Canada, United Tribes Technical College located in Bismarck, North Dakota and Haskell Indian Junior College, Lawrence Kansas.

A Profile:

The colleges are governed by an all Indian-controlled board and are chartered by their respective tribes. A majoity of the students are Indian, however they also serve as a post-secondary institution for non-Indians as well, particularly so in areas where no other post-secondary institution is available to rural populations. It should be noted however, that the non-Indian enrolled students do not qualify for federal funding under the Tribally Controlled Community College Act.

The colleges vary in size from a high near 1,000 full-time students in the case of Navajo Community College (Title II) to 643 ISC's (Indian St. Count) in the largest Title I school (Oglala Lakota College) to a low of 59 in the smallest of the Title I schools. They vary in age from near 20 years in the case of Navajo Community College to just over two years (Stone Child College) in Montana. A new tribal college located on the Fond du Lac Reservation in Minnesota is expected to begin to receive funding in FY '89 adding an addition 80 - 100 ISC's. An additonal college located in Bay Mills, Michigan has also submitted a feasibility study to the Bureau which would add an additional 100 ISC's. The Bureau's FY '89 Budget submission does not reflect these new colleges despite the fact that the Fond du Lac feasibility study has been submitted to the Bureau and that the Minneapolis Area Office recommends the new college be considered eligible for funding in FY '89.

Of the 20 tribal colleges 10 are fully recognized as accredited colleges by national accreditation institutions, two of which offer 4-year B.A. programs. 5 colleges are candidates for accreditation with the remaining 5 schools striving to meet the standards for candidacy in their respective regions.

FULL ACCREDITATION	CANDIDATES	SEEKING CANDIDACY
1) Blackfeet C.C.	Fort Peck	Dull Knife Memorial Coll.
2) D.Q. University	Little Big Horn	Cheyenne River C.C.
3) Navajo C.C.	Little Hoop C.C.	La Courtes Orielees C.C.
4) Nebraska Indian C.C.	Sisseton Wahpeton C.C.	Lummi Community Coll.
		Stonechild College
5) *Oglala Lakota Coll.	Fort Belknap C.C.	
6) Salish Kootenai Coll.		
7) *Sinte Gleska Coll.		
8) Standing Rock College		
9) Turtle Mountain C.C.		
10) Fort Berthold		

*Both are accreditited at the 4 year level and are working on graduate programs.

Are the Colleges Working?

The answers is YES. Today the 20 tribal colleges enroll approixmately 8,500 students. In the 1981, the Title I colleges enrolled 1,689 FTE's. The annual growth rate since 1981 has averaged 11%. The overall growth rate for the colleges 1981-86 is 78 per cent. The American Indian enrollment in tribal colleges equals and often exceeds the American Indian enrollment in state colleges, particularly in the states of Montana, North Dakota and South Dakota. For example, in Montana, the FTE in state colleges for the Fall of 1985 was 690 FTE's, while the tribal colleges in Montana enrolled 774 FTE's for the same quarter.

In Fiscal Year 1986 the tribal colleges graduated over 500 students with either Associate of Arts, Bachelors degrees or certifiable vocational program certificates. Since FY 1981 the first fiscal year of funding under P.L. 95-471, the colleges have graduated over 3,500 students with either B.A., A.A., A.S. degrees or other certifiable vocational programs. When you consider that the mission of a community college is to offer postsecondary education to individuals who are often times not the traditional postsecondary student, but rather students who are married and taking part time courses this is quite an accomplishment. A 1980 study conducted in North Dakota found that 86% of the tribal college graduates that transfer to four year colleges complete their education. This is contrasted by a 90% dropout rate of American Indian students who start at State colleges in North Dakota. PLACEMENT OF GRADUATES IN JOBS OR ADVANCED EDUCATIONAL OPPORTUNITIES IS AS HIGH AS 85%. A PERCENTAGE REMARKABLE IN VIEW OF THE ASTRONOMICAL

UNEMPLOYMENT RATE IN SURROUNDING RESERVATION ENVIRONMENTS

College Growth and Funding Patterns:

The colleges have grown sizeably since their inception and particularly so since the passage of P.L. 95-471. The chart below shows the growth and funding patterns of the Title I Colleges.

F.Y.	$ Appropriated under P.L. 95-471	No. of FTE's	$ per FTE
'81	5,235,900	1,689	3,100.00
'82	5,897,862	2,087	2,826.00
'83	6,287,810	2,194	2,865.00
'84	6,555,696	2,616	2,506.00
'85	6,950,000	2,853	2,436.00
'86	7,087,000	3,059	2,317.00
'87	7,724,000	3,062	2,517.60
		Indian Student Count	
'88	8,189,000	3,561 ISC's (fall count) 3,600 (AIHEC projected final '88 ISC)	$2,274.72**
'89	7,724,000 (As contained in the BIA FY '89 Budget Justification)	4,200 (AIHEC's estimate for '89)	$1,839.05**

** FY '88 represented the transition year in which the BIA implemented the changes made in P.L. 98-192 by which students enrolled in the tribal colleges are to be counted. The new method of counting better reflects the actual cost incurred by an institution to provide a postsecondary education.

The fiscal year 1989 student count of 4,200 reflects a 11 % increase over the projected final FY '88 Indian student count, plus consideration given to the fact that two additional colleges (Fond du Lac & Bay Mills, Michigan) could be eligible for funding in FY '89 adding an additional 200 ISC's. An additional adjustment upward to the projected ISC total for FY '89 is the result of legislation expected to become public law shortly which will allow a student receiving general assistance to continue to receive such payment while attending a college so long as the student is making satisfactory progess. We expect some additional increase because of this change in the treatment of general assistance.

Title II Funding

Funding for Navajo Community College had remained constant at $3,813,000 since FY 1984 until this past fiscal year when Congress increased their funding to $4,063,000. NCC funding is to be based on need as established by the Bureau as per regulations which have yet to be published. The legislation which established NCC funding to be based on need was passed in 1980. As indicated 8 years have passed and the Bureau has still not published the regulations by which NCC is to receive its funding. Language contained in S. 373 which is currently in Conference with the House will place into statute the method by which the Bureau is to base NCC's need.

Navajo was the first of the community colleges established and is the largest serving an area the size of the state of West Virginia. In FY '87 Navajo Community College absorbed approximately 100 additional FTE's due to the closing of Ganado College. No additional funds were received by the college until FY '88 when an additional $250,000 was added to the NCC line item.

TRIBAL COLLEGE FUNDING AS COMPARED TO THE NATIONAL NORM

Funding for the tribal colleges is running over $1000.00 per FTE below that received by public community colleges serving a student population of less than 1,000 FTE's. According to a 1982 study conducted by the National Association of Colleges and University Business Officers a public community college of less than 1,000 FTE's was receiving on the average $3,400 per FTE. That amount is obviously higher now than what it was in 1982.

The tribal colleges look at the funding received from the Tribally Controlled Community College Assistance Act, as base funding and analogous to states funding public colleges or the federal government funding Howard University, Gallaudet College or West Point. In comparison with these, the tribal college's dollars per FTE base funding has not fared well:

Using the A.I.H.E.C. F.Y. '87 per FTE figure as a guide ($2,491.00) the tribal colleges match up as follows:

1) State Average Base Funding to Public Colleges per FTE:
    F.Y. '84 -- $3,467.00
    Only four states were below the $2,506.00 tribal college level for FY 1984 and these charge high out of state tuition to supplement operations, e.g. Colorado, New Hampshire
    (Source--National Institute of Education)

    (a) South Dakota State Average Base Funding to Public College for FTE: FY ' 85 -- $2,703.00
    FY ' 86 -- $3,439.00
    FY ' 87 -- $3,762.00
    South Dakota is usually ranked 48th or 49th in per FTE funding.
    (Source--"Rapid City Journal" 12/86)

    (b) Montana's FY '87 per FTE funding in the State schools was approximately $3,900.00

2) Federally Funded Colleges Base Funding per FTE:

    (a) West Point - FY '85 --$226,190 per cadet (Newsweek)
    (b) Howard University - FY'86 --$14,153 ($129 million divided by 9,137 FTE's (Department of Ed. Budget)
    (c) Gallaudet College - FY '86 --$17,068 ($37 million divided by 2,206 FTE's (Department of Ed. Budget)

3) Percent of College Budgets Supplied by Base Funding

A good way to analyze the adequacy of funding is to determine how much of base funding goes toward meeting the basic educational operational expenses of the institution. The lower the percentage of base funding the more funds a college must derive from other sources to survive, i.e., tuition, fundraising, supplemental programs etc. The higher the base funding (from taxes or in the case of tribal colleges, the Tribally Controlled Community College Assistance Act) the more financial stability a college has meaning less dollars must be raised from other sources to survive.

% OF BUDGET FROM STATE BASE	% OF BUDGET FROM TCCC BASE
National Average FY ' 82 (58%)	TCCC Average FY ' 82 (51%)
National Average FY ' 85 (53%)	TCCC Average FY ' 85 (46%)

The point to be made is that although the tribal college appropriation has increased over the past few years, it is not keeping pace with enrollments at the tribal colleges. Base funding is critically important since it provides for basic operations and core academic programs and allows for realistic and rational planning.

WHAT'S NEEDED:

THE TITLE I Colleges are requesting a FY 1989 funding level of $4000.00 per FTE or $3,478.00 per ISC (the new method for counting students instituted with the passage of P.L. 98-192 which is being implemented during FY '88). Based on the Title I colleges projected Indian Student Count for FY '89 this equates to a funding level of $14,607,600. The authorized level of funding is $5,820.00 per ISC.

Title II funding as requested by Navajo Community College is: $4,500,000.

Endowments: (AFFECTS BOTH TITLE I AND TITLE II)

The amendments of 1983, P.L. 98-192 provided for an endowment section in the law comparable to that contained in Title III of the Higher Education Act. This provision authorized $5,000,000 per year to be provided to the colleges on a $1 to $1 match. For every dollar a college would place in an endowment up to $350,000 per year, the federal government would match dollar for dollar. The college could then use the interest earned from that endowment for whatever purpose it desired. Should the college take money from the principle the federal government would see its match returned dollar for dollar.

The Bureau requested $500,000 in FY '88 which AIHEC considered a goo start on the part of the Bureau to begin to fund this program. To date however, the Bureau has still not distributed the $500,000 to any of the colleges despite the fact that a majority of the colleges do have matching endowment money to place into the program.

In addition, the Bureau proposes to zero fund the endowment in FY '89 saying that they need one year to evaluate the distribution plan used to distribute the $500,000. This point is almost absurd due to the fact that none of the money has yet to be allocated. AIHEC believes the money appropriated for FY '88 should be immediately disbursed and that the FY '89 endowment appropriation should be no less than $5,000,000. The full funding request for the endowment is based on the fact that the colleges look at the endowment as a source of funding upon which they can build their future. It provides them for the first time an element of self-sufficiency. With these funds the tribal colleges can begin to build up their own institutional endowments upon which they can begin to build the road to self-sufficiency causing them not to be so dependent on federal funds which is now the case. Many of our colleges have commitments from corporate donors and foundations for funds once they can show the donor that the federal government will commit to match the funds donated. Unless some action is taken soon, some of these donors could turn to other minority institutions to give their money. The commitment to self-sufficiency is a goal of the tribal colleges, but this should not be construed to mean that the responsibility the federal government has to Indian people in providing them an education is in anyway lessen.

Other Funding Issues:

United Tribes Technical College: Located in Bismarck, North Dakota, UTTC comprises 105 acres and is housed in buildings 87 years old. UTTC is accredited by the North Central Accrediting Agency at the certificate and degree granting level. The United Tribes Technical College enrolls approximately 275 adults. Children of those adults who are also served at the facility total approximately 180 from nursery school age to high school.

The primary purpose of UTTC is to provide job training skills to Indian students from across the United States and to ensure that those students become employable, productive elements in the work force.

UTTC is dedicated to serving American Indians and their families to the fullest capacity.

Although their funding line item comes under the BIA Employment and Training Element of the Budget, AIHEC recommends their FY 89 level should be $2,200,000 (inclusive of direct services, maintenance, administration and fixed costs for the campus). Their FY '88 funding was $1,498,000, FY '87 totalled $1,660,000 and FY '86 was

$1,700,000

AIHEC also supports adequate funding for Haskell Indian Junior College.

AIHEC FY '89 REQUEST IN SUMMARY

Title I Funding:$14.6 million

Title II Funding:$4,500,000 (8% increase over FY '88)

Endowment Funding: $5,000,000

Construction:$10,300,000.

Facilities which would be eligible under P.L. 98-192 for construction dollars and which have already conducted cost analysis and designs include:
Oglala Lakota College: $1.5 million
Blackfeet Community College: $2.5 million
Sinte Gleska College: $1.3 million
Turtle Mountain: $3.5 million
Other Title I colleges eligible for constuction funds include: Standing Rock Community College, Nebraska Indian Community College, DQ University, Salish Kootenai College, and Fort Berthold.

A good example of an institution's work in raising funds to meet the matching requirement required under the law, rests with Oglala Lakota College. OLC has obtained through private sources an amount of $400,000. This is contingent on raising an additional $1,440,000. If the amount cannot be raised within the near future, OLC stands to loose the $400,000 commitment. AIHEC would support the funding request for colleges such as OLC who can show both the need and the commitment of funds to meet the matching requirements.

Title II Construction: Navajo Community College projects its current construction needs at $5 million. This money would be used for rennovation of the Shiprock Campus. A new facility at Shiprock would cost an estimated $23 million.

Under the reauthorization bill passed in FY '86 the Bureau was to conduct an inventory of BIA facilities available to the colleges for purpose of utilizing such facilities for their use. A study of the conditions of present college facilties is also required. The study is currently being undertaken by a person from the Albuquerque Facilities Office and we would urge that Members of Congress and the respective Appropriation Committees request the results of the study from the Bureau as soon as possible.

The need for new buildings on some of the college campus is desperate. In many cases colleges conduct classes from buildings considered too run down for use by anyone else. In order for the colleges to operate quality programs in the future this issue is going to have to be considered.

AMERICAN INDIAN SCHOLARSHIPS, INC.

Fiscal Year 1989 Budget Request

Submitted to:

Senate Select Committee on Indian Affairs
United States Senate

Senator Daniel K. Inouye, Chairman

Submitted by:

Ms. Lorraine P. Edmo
Executive Director
American Indian Scholarships, Inc.
Albuquerque, New Mexico

February 26, 1988

Mr. Chairman and Members of the Committee:

Thank you for allowing me time to speak on behalf of the American Indian and Alaska Native graduate students who are served by American Indian Scholarships, Inc. (AIS) of Albuquerque, N.M.

My name is Lorraine Edmo and I have been Executive Director of AIS, Inc. for over four years. Over these past four years I have seen the Bureau of Indian Affairs (BIA) budget for graduate scholarships decline by at least $400,000. AIS is the only national non-profit Indian organization which exclusively serves the graduate scholarship needs of federally-recognized Indian people. AIS has contracted with the BIA for the past 16 years to administer the Special Graduate Scholarship Program. Priority in funding is given to students who are pursuing degrees in six fields of study. These are: Health (including Medicine and Social Welfare), Law, Business, Education, Natural Resources and Engineering. During the past academic year, AIS only served 11 students in non-priority fields of study.

I am here today to request a realistic funding level for the Special Graduate Scholarship Program. For FY '89 the BIA is requesting only $1.5 million while the real need is closer to $2.7 million.

Current Needs and 1988-89 Projections

AIS is nearing the end of a two-year contract for administration of the consolidated graduate scholarship program. We have been able to successfully administer this program with a low overhead which has averaged 11% over these two years. We have granted $1,555,000 in student grants during this academic year and the summer of 1987. Our average student award for the academic year is $5,700. AIS made 63 student awards in the summer at an average cost of $1,590.

During this same period of time there were 610 applications for funding received. There were 200 students denied assistance due to lack of funds. Their documented unmet student need is over $1 million for this year alone. This figure includes the need for students who we could not totally fund.

Attached are the current academic year statistics on AIS recipients as well as our latest newsletter which describes the program in more detail). Of course, these student aid figures do not include the costs for administration of the program, nor do they include the costs for the pre-law summer institute which is administered by a separate contractor. The real AIS program need for fiscal year, 1989 in scholarships and administration is $2.7 million.

The BIA's budget justification claims that 27 graduate students are being served who are not in priority fields of study. This is untrue. There are only 11 non-priority students this year with an average need of $5,700; therefore their total calculated need is $63,000. This is hardly justification to cut funding for our program by $250,000. If the Special Graduate Scholarship Program is cut by this amount in FY '89; this means that 44 less students could be served in '88-89. AIS has gone on record opposing the strict priority field interpretation because we fund so few students in these fields and we feel they are also needed by tribes and organizations. There is no other significant source of funding for students who want to pursue graduate degrees in areas such as fine arts, communications, Indian studies, anthropology, planning, architecture and similar fields of study.

Another recurring problem is the fact that there has been no allowance for cost-of-living adjustments in the BIA request; nor has there been any provision for tuition increases which have more than doubled over the past 10 years.

Impact of New Congressional Methodology on AIS Fellows

Another concern we have is the impact of the new method for calculating a student's budget, known as the Congressional Methodology. This was enacted in Part F of the Higher Education Amendments (HEA) of 1986.

There are two main areas that will have a detrimental impact on Indian students desiring to pursue an advanced educational degree. First, the new law says that only the student's expenses can be included in the Student's Cost of Attendance budget. This is a problem because most AIS recipients are older and they are married with children. In most cases, the spouse is required to stay home with the children while the student is required to be a full-time student. Under the new methodology, the limitation of only the student's expenses does not allow for the financial needs necessary to support the rest of the family.

The new Congressional Methodology penalizes the married student with a family. It makes it mandatory for the spouse to find employment to support the family and in many areas employment is extremely limited or non-existant. We feel that this stipulation will force many students to drop out of school or not go at all. It will discourage those desiring to advance their education and professional positions. We urge that the Congressional Methodology be re-worked to eliminate the injustice that constitutes unequal treatment for students with families.

Secondly, perhaps the greatest change for the single independent student is the student contribution requirement which is now calculated upon base year income rather than estimated income. The base year for a new student is the year prior to entering school.

For most students entering a post-graduate program we find that they have been out working for a period of time and have substantial earnings prior to starting a graduate/doctorate program. This would directly penalize the students because they would have to include that income in the required Student Contribution. This situation does not appropriately reflect what their need would be during the first year. In fact it distorts what their actual resources really are.

Based on the application of this portion of Congressional Methodology, the student is penalized if they work the year before entering the first year of their educational program.

Over the past 18 years, AIS has awarded over 3,500 scholarships to at least 2000 American Indian and Alaska Native graduate students. Although we do not have current information on all of our alumni; we estimate that at least 60% are working on behalf of Indian people; either for federal state or tribal governments, health organizations, tribal community colleges, etc.

Since their income levels are usually higher than those who have not gone beyond high school or college, they contribute more to the state and federal tax revenue. In summary, I am requesting that your Committee support funding for the BIA's Special Graduate Scholarship Program in the amount of $2.5 million in the 1989 federal budget. This would allow us to serve an estimated 400 graduate students in Fiscal Year 1989.

Title IV Office of Indian Education Matters

AIS is happy to see that a new Director for Indian Education Programs was finally confirmed in December, 1987. We understand that Congressional language has been introduced to provide for Indian preference in hiring in the Title IV office. AIS is in full support of this provision since only 4 of 43 employees are American Indian.

Other Matters

AIS fully supports the funding request presented by the American Indian Higher Education Consortium for the tribally-controlled community colleges.

I respectfully request support for this request and the issues addressed herein.

Respectfully submitted,

Lorraine P Edmo

Lorraine P. Edmo
Executive Director
American Indian Scholarships, Inc.

ATTACHMENT "A"

AMERICAN INDIAN SCHOLARSHIPS, INC.

Albuquerque, New Mexico

Statistical Report on 1987-88 Fellows

This is a preliminary report on the graduate fellowships AIS has awarded to American Indian and Alaska Native students as of Febraury 29, 1988. The report on the 1987-88 academic year will not be final until July 1988.

Report No. 1: Fields of Study & Degrees. Of the 319 fellows, 303 (or 95%) are pursuing graduate degrees in AIS's priority fields of health, business, education, natural resources, engineering and law.

Fields of Study	Ph.D.:	Masters:	Cert.:	Totals:
A. PRIORITY FIELDS OF STUDY				
1. Health & Related Fields				
Medicine (M.D. & D.C.)	24	-	-	24
Dentistry	7	-	-	7
Public Health	-	17	-	17
Veterinary Medicine	2	-	-	2
Clinical Psychology	3	2	-	5
Social Work	-	15	-	15
Other Health Fields	3	3	2	8
				78
2. Business & Related Fields				
Business Administration	-	5	-	5
Public Administration	2	17	-	19
Urban & Regional Planning	-	-	-	0
Other Business Fields	1	1	-	2
				26
3. Natural Resources & Related Fields				
Agricultural Studies	-	-	-	0
4. Engineering & Related Fields				
Engineering	-	1	-	1
5. Education & Related Fields	24	34	11	69
6. Law & Related Fields				
Juris Doctor (J.D.)	128*	-	-	128
Criminology & Corrections	-	1	-	1
Court Administration	-	-	-	0
				129
Totals:	194	96	13	303

B. ALL OTHER FIELDS OF STUDY	Ph.D.:	Masters	Cert.:	Totals
Anthropology	1	-	-	1
English	-	1	-	1
Fine Arts	-	2	-	2
Interdisplinary Studies	-	1	-	1
Music	-	1	-	1
Speech Pathology	-	2	-	2
Psychology & Counseling	-	4	-	4
Social Science	1	-	-	1
Religious Studies	-	3	-	3
	2	11	0	16

Grand Totals: Total Fellowship Recipients = 319

Total Priority Area Fellows = 303 (95%)
Total Other Area Fellows = 16 (5%)

Total Doctorate Fellows = 106 (61%)
Total Masters Fellows = 110 (35%)
Total Certificate Fellows = 13 (4%)

*31 of 128 received bar exam support

Report No. 2: State & Tribal Representation. The Fellows Represent 95 Indian Tribes and Alaska Native Groups from 22 States.

Alaska: 15	
Alaskan Native	15
Arizona: 39	
Hopi	4
Navajo	27
Pascua-Yaqui	1
Pima-Maricopa	3
White Mountain Apache	3
Yavapi-Apache	1
California: 7	
Karok	2
Pit River	1
Sherwood Valley Pomo	1
Smith River Tolowa	1
Yurok	2
Colorado: 1	
Southern Ute	1
Idaho: 6	
Coeur d'Alene	1
Nez Perce	4
Shoshone-Bannock	1
Kansas: 3	
Iowa	2
Kickapoo	1
Maine: 1	
Penobscot	1
Michigan: 3	
Grand Traverse Band	2
Keweenaw Bay Chippewa	1
Minnesota: 6	
Leech Lake Chippewa	3
White Earth Chippewa	3
Montana: 14	
Assiniboine & Sioux	3
Blackfeet	7
Chippewa-Cree	1
Crow	1
Gros Ventre & Assiniboine	1
Northern Cheyenne	1
Nebraska: 5	
Omaha	2
Santee Sioux	1
Winnebago	2
Nevada: 6	
Fallon Paitue Shoshone	3
Te-Moak Western Shoshone	2
Walker River Paiute	1
Yerington Paiute	1
New Mexico: 25	
Acoma Pueblo	3
Isleta Pueblo	6
Jemez Pueblo	2
Laguna Pueblo	7
San Felipe Pueblo	1
Santa Clara Pueblo	1
Santo Domingo Pueblo	3
Taos Pueblo	2
New York: 14	
Cayuga	2
Ononadaga	1
Seneca	4
St. Regis Mohawk	3
Tuscarora	1
Oneida	3
North Carolina: 1	
Eastern Cherokee	1
North Dakota: 19	
Three Affiliated Tribes	6
Turtle Mountain Chippewa	13
Oklahoma: 73	
Absentee-Shawnee	1
Caddo	3
Cherokee	11
Cheyenne & Arapaho	3
Chickasaw	2
Choctaw	10
Citizen Band Potawatomi	1
Comanche	5
Creek	11
Ft. Sill Apache	1
Kiowa	5
Osage	4
Otoe-Missouria	2
Pawnee	4
Ponca	4
Sac & Fox	3
Seminole	1
Seneca-Cayuga	2
Oregon: 4	
Umatilla	3
Warm Springs	1
South Dakota: 44	
Cheyenne River Sioux	8
Crow Creek Sioux	2
Oglala Sioux	13
Rosebud Sioux	10
Sisseton-Wahpeton Sioux	2
Standing Rock Sioux	6
Yankton Sioux	3
Washington: 11	
Colville	1
Makah	1
Nooksack	2
Quileute	1
Squaxin Island	1
Upper Skagit	1
Yakima	4

Wisconsin: 19	
Bad River Chippewa	3
Forest County Potawatomi	1
Menominee	4
Oneida	8
St. Croix Chippewa	1
Stockbridge-Munsee	1
Winnebago	1
Wyoming: 3	
Arapahoe & Shoshone	3

Report No. 3: Colleges & Universities of Attendance. The 319 AIS fellowship receipients are attending 101 colleges and universities in 35 states.

Alaska: 1 Fellow

University of Alaska/Juneau	1

Arizona: 17 Fellows

Arizona State University	11
University of Arizona	6

California: 39 Fellows

Calif. Coll. of Podiatric Medicine	1
Calif. Family Study Center	1
Calif. Sch. Prof. Pyscho./San Diego	1
Calif. St. Univ./Chico	1
Calif. St. Univ./Long Beach	1
Calif. St. Univ./Sacramento	1
Golden Gate Bap. Theo. Sem.	1
Humboldt State University	2
Stanford University	7
Univ. of Calif./Berkeley	13
Univ. of Calif./Davis	1
Univ. of Calif./Irvine	1
Univ. of Calif./Los Angeles	5
University of Southern California	1
U.S. Internat'l Univ./San Diego	2

Colorado: 12 Fellows

Colorado School of Mines	1
Colorado State University	3
University of Colorado	3
University of Denver	5

Connecticut: 1 Fellow

Yale University	1

District of Columbia: 6 Fellows

George Washington University	5
The American University	1

Florida: 1 Fellow

University of Florida	1

Georgia: 1 Fellows

Medical College of Georgia	1

Hawaii: 3 Fellows

University of Hawaii/Manoa	3

Idaho: 5 Fellows

University of Idaho	5

Illinois: 5 Fellows

John Marshall School of Law	2
Forest Inst. of Prof. Psycho.	1
Loyola University of Chicago	1
University of Chicago	1

Iowa: 3 Fellows

Maharishi Internat'l University	1
University of Iowa	2

Kansas: 3 Fellows

Kansas State University	2
Wichita State University	1

Louisiana: 1 Fellow

Tulane University	1

Maryland: 1 Fellow

University of Maryland	1

Massachusetts: 11 Fellows

Boston University	1
Harvard University	9
Northeastern University	1

Michigan: 6 Fellows

Andrews University	1
Central Michigan University	1
Northern Michigan University	1
University of Michigan	2
Western Michigan University	1

Minnesota: 12 Fellows

Mayo Medical School	1
University of Minnesota	8
William Mitchell College of Law	3

Missouri: 3 Fellows

Logan Chiropractic College	1
Nazarene Theo. Sem.	1
St. Louis University	1

Montana: 4 Fellows

University of Montana	4

Nebraska: 4 Fellows

University of Lincoln/Nebraska	1
University of Nebraska	2
Wayne State College	1

New Mexico: 39 Fellows

New Mexico Highlands University	1
New Mexico State University	1
University of New Mexico	37

New York: 11 Fellows

Columbia University	1
Cornell University	1
Mannes College	1
St. Univ. of New York/Buffalo	2
St. Univ. of New York/Potsdam	2
Syracuse University	4

North Dakota: 7 Fellows

North Dakota State University	1
University of North Dakota	6

Oklahoma: 40 Fellows

Central Okla. St. Univ.	2
Oklahoma City University	10
Oklahoma State University	2
Oral Roberts University	1
Northeastern Oklahoma St. Univ.	1
Tulsa University	5
University of Oklahoma	19

Oregon: 10 Fellows

Lewis & Clark College	2
Portland State University	1
University of Oregon	6
Williamette University	1

Pennsylvania: 3 Fellows

Pennsylvania St. Univ.	2
Temple University	1

South Carolina: 1 Fellow

Univ. of South Carolina	1

South Dakota: 23 Fellows

Northern State College	2
Univ. of South Dakota	21

Tennessee: 1 Fellow

Vanderbilt University	1

Texas: 5 Fellows

Texas A & M University	2
University of Texas/Houston	3

Utah: 8 Fellows

Brigham Young University	2
University of Utah	5
Utah State University	1

Virginia: 1 Fellow

Old Dominion University	1

Washington: 19 Fellows

Gonzaga University	2
Heritage College	3
John Bastyr College	1
University of Puget Sound	2
University of Washington	10
Whitworth College	1

Wisconsin: 12 Fellows

Marquette University	4
Univ. of Wisconsin/Madison	6
Univ. of Wisconsin/Milwaukee	1
Univ. of Wisconsin/Stout	1

(Attachment B)

Selected Alumni Listing

During its 19 years of existence, American Indian Scholarships, Inc. has awarded approximately 3,500 fellowships to 2,500 American Indian and Alaska Native graduate students. The former fellowship recipients listed here are only a representative group of AIS's alumni.

Joe Abeyta, Santa Clara Pueblo, Superintendent, (M.Ed.). Santa Fe Indian School for the All Indian Pueblo Council, Santa Fe, New Mexico.

Roger Aitken, Minnesota Chippewa, Superintendent, Bureau of Indian Affairs Cass Lake, Minnesota.

Anna Albert, Assistant Administrator at the Phoenix Indian Medical Center, Arizona.

Marvin Amiotte, Attorney, (J.D.) South Dakota.

Susan (Harjo) Arkeketa, Technical Writer, Native American Rights Fund, Boulder, Colorado.

Robert L. Ashley, Crow Creek Sioux, Civil Engineer (M.S. Engineering, Nebraska). Metro Transit Authority, Houston, Texas.

Patrick Baca, Sandia Pueblo, MBA, Assistant County Manager, Sandoval/County, Bernalillo, New Mexico.

David Baines, Residency-King/Drew Medical Center; Los Angeles, California.

Sharon Blackwell, Omaha, Attorney (J.D.) U.S. Regional Solicitor's Office Tulsa, Oklahoma.

Chet Blue Sky, Santa Clara Pueblo, Tribal Government Specialist (J.D.) Department of the Interior, Southern Pueblos Agency, Albuquerque, New Mexico.

Lionel Bordeaux, Rosebud Sioux, (M.Ed.) President, Sinte Gleska Community College, Roe, South Dakota.

Rodger Boyd, Navajo, Consultant, Santa Fe, New Mexico. Former Executive Director, Navajo Nation Lobbying Office, Washington, D.C.

Gerald Brown, Salish-Kootenai, Education Consultant, Indian Community Organizer, Albuquerque, New Mexico.

Duane Champagne, Faculty in Sociology, University of Wisconsin, Madison, Wisconsin.

Dr. Emmett Chase, Pomo, Physician-in-Charge, Urban Indian Free Clinic, Compton, California.

Robert Chiago, Navajo, Board Member, National Advisory Council on Indian Education, Salt Lake City, Utah.

Conroy Chino, Acoma Pueblo, Investigative (Nieman Fellow, Harvard University, '84), KOAT-TV, Reporter, Albuquerque, New Mexico.

Ernest Clark, Colville, (MBA) American Express Co., former member of Colville Tribal Business Committee, New York, New York.

Leroy Clifford, Oglala Sioux, (Ph.D. Ed.), Consultant to Assistant Secretary of the Interior for Indian Affairs, Washington, D.C.

Valentino Cordova, Taos Pueblo, (M.Ed.), Education Superintendent, Southern Pueblos Indian Agency, Albuquerque, New Mexico.

Eddy Crawley, Dentist, Helena, Montana.

Jerilyn DeCoteau, Turtle Mountain Chippewa, Attorney, (M.Ed. J.D.) Native American Rights Fund, Boulder, Colorado.

Dee Ann DeRoin, Medical Doctor, (M.D.) Haskell Health Center, Indian Health Service, Haskell Indian Junior College, Lawrence, Kansas.

Ronald Deviana, Dentist, Belgrade, Montana.

Audrey Devlin, Assistant Health Director, St. Croix Tribal Council, Wisconsin.

Larry Echohawak, Pawnee, Attorney (J.D.), County Prosecutor, Pocatello, Idaho and member of the Idaho State Legislature.

Lucille Echohawk, Pawnee, Vice-President, Operations, (J.D.), Council of Energy Resource Tribes, Denver, Colorado.

Lorraine P. Edmo, Shoshone-Bannock (M.P.A.), Executive Director, American Indian Scholarships, Inc., Albuquerque, New Mexico.

William Edmo, Shoshone-Bannock, (M.Ed.), Director, Education Department Shoshone-Bannock Tribes, Fort Hall, Idaho.

David Eisenberg, Taos Pueblo, (J.D.), Carol Conner and Associates, Albuquerque, New Mexico.

Angelita Felix, BIA Agency, Education Superintendent, Fort Berthold Agency North Dakota.

Candace Fleming, Clinical Psychologist, Program Director, Flathead Indian Health Clinic, St. Ignatius, Montana.

John Fredericks III, Mandan-Hidatsa, Attorney, (J.D.), Fredericks and Pelcyger, Boulder, Colorado.

Pasqualita Frenier, Social Services Director, Santa Clara Tribe, New Mexico.

Carole Garcia, Manager, Tribal Youth Center, San Carlos Apache Tribe, Arizona.

Elizabeth Garriott, Instructor, Sinte Gleska College, South Dakota.

Genevive Gollnick, Curriculum Coordinator, Oneida Tribe, Wisconsin.

Martha Graham, Assistant to the Director, Indian Education Program, Harvard University, Cambridge, Massachusettes.

Doctor Grants, President, Media South, Inc., Nashville, Tennessee.

Barbara Tenorio Grimes, San Felipe Pueblo, Assistant Director, Self-Help Program, Futures for Children, Albuquerque, New Mexico.

Jeffrey Hamley, Student Development Specialist, Evergreen State College, Washington.

Elizabeth Harvey, Mental Health Technician, IHS, Santa Fe Hospital, New Mexico.

Norma Her Many Horses, Language Arts Teacher, Red Cloud School, South Dakota.

Norbert Hill, Jr., Executive Director, American Indian Science and Engineering Society, Boulder, Colorado.

Ralph Honhongva, Budget Analyst, Hopi Tribe, Oraibi, Arizona.

Pamela Iron, Cherokee, (MA), Muskogee Area Vice-President, National Congress of American Indians, Oklahoma.

Gilliam Jackson, Program Coordinator, Cherokee Boy's Club, North Carolina.

Yvette Joseph, Colville, (M.S.W.), Staff Member for Senator Daniel J. Evans (R-WA) Washington, D.C.

Rita Keshena, Menominee, Attorney, (M.A., J.D.), Menominee Tribe of Wisconsin, Keshena, Wisconsin.

Timothy LaFrance, Turtle Mountain Chippewa, Attorney, Private Practice, Durango, Colorado.

Lori Lauriano, Sandia Pueblo, (M.P.A.), Administrative Staff Member, Sandia National Laboratories, Albuquerque, New Mexico.

Arlinda Locklear, Lumbee, Attorney, (J.D.) Private Practice, Washington, D.C.

Hartman Lomawaima, Hopi, (Ed.D.), Assistant Director, Lowie Museum of Anthropology, University of California, Berkeley.

Gilbert Lucero, Zia Pueblo, Principal, Zia Pueblo School, Zia, New Mexico.

Gerald E. Monette, (Ed.D.) President, Turtle Mountain Community College, Belcourt, North Dakota.

Donal McCabe, Navajo, (MBA), Education Specialist, Central Office, Washington, D.C.

Melody McHenry, Attorney, (J.D.) Native American Rights Fund, Boulder, Colorado.

Onis McHenry, Creek, (MFA), Virginia Festival of the Arts, Richmond, Virginia.

Isabelle Medchill, Social Worker, School District #11, Colorado Springs, Colorado.

Ann Medicine, Seneca (M.Ed.), Assistant Dean, Graduate Studies and Research, Stanford University, Stanford, California.

Beatrice Medicine, Director, Native Centre, The University of Calgary, Alberta, Canada.

Joseph Mitchell, Creek, (M.S.), Environmental Biology, Natural Resources Director, Bureau of Indian Affairs, Southern Pueblos Agency, Albuquerque, New Mexico.

Joseph Moquino, San Juan Pueblo, (MPH), Service Unit Director, Indian Health Service Hospital, Santa Fe, New Mexico.

Joe Naranjo, Santa Clara Pueblo, (MSW), Social Worker, Jicarillo Apache Agency, New Mexico.

Lili Naranjo, Guidance-Counseling, Title IV Urban Indian Education, Albuquerque, New Mexico.

Wil Numkema, Hopi, Special Assistant for Indian Education, Utah State Office of Education, Salt Lake City, Utah.

William Oandasan, Learning Specialist, Institute for Native American Development, Chicago, Illinois.

Gene Pekah, Education Manager, Comanche Tribe, Oklahoma.

Bruce Phillips, Doctor of Chiropractic Medicine.

Joseph Rael, Southern Ute, (M.S. Psychology) Consultant, Ignacio, Colorado

Howard Rainer, Taos Pueblo, Assistant Director, Indian Services, Brigham Young University, Provo, Utah.

Joyce Reyes, Resources & Evaluation Center Director, United Indians Foundation, Seattle, Washington.

Joseph Rustick, Doctor in Residence, Phoenix, Arizona.

Rena Oyengue Salazar, San Juan Pueblo, (M.A. Ed.), Director, New Mexico State Department of Indian Education, Santa Fe, New Mexico.

T. Parker Sando, Jemez Pueblo, (J.D.) Realty Specialist, Area Office, Bureau of Indian Affairs, Albuquerque, New Mexico.

Martin Seneca, Seneca, Attorney, (J.D.) Seneca Associates, Washington, DC

Victoria Stevens, San Carlos Hospital, San Carlos Apache Reservation, Arizona.

Robert Swan, Chippewa-Cree, (Ed.D), Education Director, Chippewa-Cree Tribe, Rocky Boys Reservation, Montana.

Patsy Tallman, Yakima, Preschool Principal, Yakima Indian Nation, Toppenish, Washington.

Georgiana Tiger, Blackfeet, (MPA, M.Ed.), Private Consultant and Editor, COM-Tech News Service, Washington, D.C.

Michael Trujillo, Laguna Pueblo, Laguna-Acoma Indian Hospital, Laguna, New Mexico.

Louis Tyon, Athletic Director, Little Wound School, Kyle, South Dakota.

Anna Lee Townsend, Shoshone-Bannock, (MPA), Personnel Director, Shoshone-Bannock Tribes, Inc., Fort Hall, Idaho.

Arlen Washines, Yakima, (M.Ed.), Scholarship Officer, Yakima Indian Education Office, Toppenish, Washington.

Barry Welch, Minnesota Sioux, (M.S.), Assistant Area Director, Albuquerque Area Office, Bureau of Indian Affairs, New Mexico.

Henrietta Whiteman, Southern Cheyenne, (Ph.D., American Studies), Director & Professor of Native American Studies, University of Montana, Missoula Montana.

Martha Yallup, Yakima, Deputy Director, Human Resources, Yakima Nation, Toppenish, Washington.

Mary Jean Yazzie, Mental Health Therapist, Four Corners Mental Health, Farmington, New Mexico.

PREPARED STATEMENT OF DAVID M. GIPP, PRESIDENT
UNITED TRIBES TECHNICAL COLLEGE

REQUEST

United Tribes Technical College, formerly known as the United Tribes Educational Technical Center, is requesting an appropriation of $2.2 million for Fiscal Year 1989. This amount will provide the direct cost and contract support funds (indirect costs) for the technical College operations on this 105 acre campus. The appropriation is an item in the Bureau of Indian Affairs, Department of Interior Budget.

NEED

Since 1979, UTTC has experienced several reductions in the base direct operating budget. From the 1979 appropriation of $1.585, the successive budgets have been: 1980, $1.429 million; 1981, $1.338 million; 1982, $1.056 million; 1983, $1.056 million; 1984, 1,210 million; and 1985 a level of $1.213 million. In fiscal years 1986 it was $1.178 and in 1987 it was $1.238. Although Congress has provided $1.4 million for F.Y. 1988, the Bureau of Indian Affairs has not authorized the release of this allocation, to date.

During the same periods, the cost of purchasing goods and services has risen sharply due to inflation and normal cost increases. As an example, the technical College has experienced large increases in the cost of utilities since 1979. The cost for electricity has risen more than 20% per unit, while the per unit gas cost has increased approximately 111%. Over the years, the College has partially offset rate increases by implementing stringent conservation measures such as weatherization and reductions in building temperatures. However, consumption cannot be further reduced. Winters are harsh in the northern plains.

Similarly, in the area of staff costs, the average instructional salary has risen over 35 percent from 1979 to 1988. On a yearly basis these increases are minimal, less than 5 percent annually. However, the net result is that the College must spend more dollars to purchase competent instructional services. While the College continues to serve essentially the same number of students, the salary costs and budget cuts have necessitated a 14 percent reduction in the core staff. This has required a series of unfortunate adjustments, with fewer staff handling larger and larger workloads. Even though the staff has performed well under increased demands, the net effect has been that fewer services are available to the students and their children. Further staff and faculty reductions would seriously jeopardize the College's survival.

By the same token, diminished funding for the College has meant that funds for the replacement of worn out equipment and/or the purchase of new instructional materials have, for the most part, been unavailable. Increasingly, the lack of new equipment will seriously impact on the quality of the vocational programs. The classroom materials must reflect the "state of the art" in the workplace if the adequacy of training and likelihood of subsequent entry into the workplace is not to be jeopardized.

Yet again, lack of available resources has also meant a limitation on the repair and maintenance of the physical facility. The facility occupied by the College is the old Fort Lincoln Army Post. The majority of the buildings are nearly 90 years old. Continuing neglect of repairs will ultimately prove more costly than annual maintenance.

Finally another area of great need is the campus streets. For the last eleven years, little or no repair has been possible; indeed, none was done in 1987 due to the shortage of funds. The grass is growing through some of these streets. Given the deterioration from age and the traffic on campus, an independent engineering firm estimated repairs for the 3.1 miles of streets at $700,000. The College is currently seeking resources for street repairs and water and sewerage systems.

OUTCOMES

Historically, the College job placement rate for graduates has been 89 percent. In addition, some graduates have developed their own business ventures, while others have continued their education at other schools. Or to put this in fiscal terms, UTTC investments in training and education for students pay themselves back in 6.39 years after graduation. Students, in effect, pay back their educational costs in taxes through productive employment.

OPERATING AUTHORIZATION

United Tribes operates under the auspices of P. L. 93-638, the Indian Self Determination and Education Assistance Act. The United Tribes College's prime contract is specified in the BIA budget under "Employment Assistance, adult vocational training category."

HISTORY

The United Tribes Technical College is a unique intertribal vocational technical school. Located on a 105 acre campus immediately south of Bismarck, North Dakota, the institution is owned and operated by the five reservations located wholly or partly in North Dakota. These tribal governments include: the Devils Lake Sioux of Fort Totten, the Sisseton Wahpeton Sioux, the Standing Rock Sioux, the Three Affiliated Tribes of Fort Berthold, and the Turtle Mountain Chippewa. Control of the non-profit corporation is vested in a ten member board of directors, typically the tribal chairman and one other representative.

Originally established in 1969, UTTC has been in continuous operation for nineteen (19) years. As the "first intertribally controlled postsecondary vocational school" in the nation, UTTC is committed via its residential programs to the economic, social and cultural advancement of Indian people. It is UTTC's philosophy to provide an environment where students and staff can build and transmit their knowledge, values and wisdom to ensure the survival of American Indians, now and in the future. At the same time the college provides a setting where individuals and families can increase their opportunities for an improved quality of life. The College seeks to initiate and sustain educational and economic programs aimed at self-sufficiency and realization of self-determination of American Indians.

The United Tribes Technical College is a model of this kind of human development. This is evidenced by a waiting list which consistently numbers over 175 per semester.

ACCREDITATION

United Tribes is accredited by the North Central Association of Colleges and Schools at the certificate and two year technical degree granting levels. North Central (NCA) completed its reevaluation of the College's ten vocational programs in 1985 and granted full continuing accreditation through 1990.

SERVICES

United Tribes exists as an Indian family community, and is designed to serve Indian people who are either not served adequately or not served at all by more traditional programs. Moreover, it is a unique model. UTTC provides all those institutional activities which are fundamental to the delivery of vocational education, plus some not found in most postsecondary settings:

- a core of 10 vocational programs which have been ongoing and updated throughout the past nineteen years; two, the licensed practical nurse (LPN) and the medical records programs, are offered at two year degree levels;
- adult education for students needing basic skills development or wishing to enter vocations requiring GED's or high school diplomas;
- a modest offering of cultural and recreational activities which necessarily supplement the programs of any credible postsecondary institution;
- in keeping with its family center oriented philosophy, nursery and preschool child development centers are provided for student dependents;
- support services such as the cafeteria, dormitories, single parent and married student housing, maintenance, student transportation, administration and fixed costs constitute basic services on the 105 acre campus.

An elementary school provides K-8 services on campus.

CLIENTELE

The enrollment of United Tribes from 1979 to the present has annually averaged some 275 students from as many as 39 different Tribes and 13 states. A majority of the students have never spent more than one year away from the reservations. Most have had little or no training and many have not completed high school. Typically, students have histories of chronic unemployment due to extremely depressed local economies and educational deficiencies far below the national average.

Almost all students who attend UTTC are from economically disadvantaged backgrounds. Approximately 67 percent of the 1987 student body received public assistance payments such as Aid to Families with Dependent Children or general assistance in the year prior to attending school. Moreover, this percentage does not include those who were recipients from programs such as food stamps, subsidized housing or energy assistance.

The philosophy of United Tribes is that the Indian family is the key to any success. Accordingly, while the college serves single students, it continues to emphasize services toward couples and single parent families. The dependent children of students increases the average on campus population to some 400 persons.

LEVEL OF FUNDING

If the future of United Tribes Technical College is to be assured, it must have sufficient funds. Congress has traditionally provided a minimum budget annually for the direct costs of the College, and has anticipated full funding of the technical College indirect costs by BIA. Meanwhile, BIA has attempted to make reductions in the UTTC budget annually.

The Bureau of Indian Affairs budget request in FY 1989 includes $1.238 million for UTTC, however, it is important to note that this figure is a reduction from the Congressionally mandated level for FY 1988 to the FY 1987 level. It is even more important to note that currently the College is operating at 75 percent of the FY 87 level of $1.238 million rather than the mandated FY 88 level of $1.498 (the actual allocation for FY 1988 is still unknown). This amount of funding, 75% of Fy 87, is insufficient to support the fixed costs for the campus-based institution in FY 88.

But the future is even worse. BIA's $1.238 million request for College direct costs in FY 1989 is $260,000 below the Congressionally mandated figure for FY 88 of $1.498 million (which of course has not been received) and is totally inadequate. In fact, this level of funding could be so debilitating as to force UTTC to close its doors.

Since 1979, UTTC has practiced all possible austerity measures and yet has maintained a quality program. The quality of the programs is well evidenced by the College's continuing accreditation status.

The $2.2 million request represents a direct cost of $1,598,637.00 and $601,363.00 for contract support. In point of fact this dollar amount truly represents the minimum budget necessary for United Tribes to continue providing a needed and quality vocational program to Indian people throughout FY 1989. (The dollar increases being sought above for FY 89 are simply what is needed to keep the doors open. They are actually below a minimum budget.)

Thank you, Mr. Chairman, for this opportunity. We can submit additional information as you may require.

PREPARED
STATEMENT OF MR. DEAN C. JACKSON
PRESIDENT, NAVAJO COMMUNITY COLLEGE
TSAILE, NAVAJO NATION, ARIZONA 86556

Mr. Chairman and Members of the Committee, I request that this written testimony be made part of the testimony presented by Ms. Janine Windy Boy on behalf of the Tribally Controlled Community Colleges on February 25, 1988.

First, I want to express my gratitude for the $250,000 increase Navajo Community College received this fiscal year. This money will be used to address some exciting developments of Navajo Community College in commemoration of its 20th Anniversary. It is only fitting that some very special activities be conducted to commemorate the significance of the establishment of Navajo Community College which has been far reaching in impacting upon Indian higher education.

Mr. Chairman, there are numerous developments at Navajo Community College which will again set precedents and will trail blaze the frontiers of Indian education. These developments will continue to affirm that tribal colleges are true and viable resources to the Indian people across the Nation. Some of these exciting developments are:

A. Navajo Community College will implement its television network this summer (Attachment "A"). This television network will have a tremendous impact on the Navajo Nation in many ways. In addition to its utilization as an educational tool, it will become a major communication media across the vast Navajo Nation. The Navajo Tribe, having established a priority in economic development, is exploring the possibility of utilizing this modern and powerful technology at Navajo Community College as an effective instrument for transmitting training for labor force and industry personnel across the remote areas of the reservation.

B. In response to the economic development effort of the Navajo Tribe, Navajo Community College is establishing a Center for Management Studies. This Center will not only provide business management for a growing number of Navajo entrepreneurs, but will provide management studies in all areas of economic development. From these developments of Navajo Community College, it is not difficult to see that tribal colleges across the Nation are beginning to provide needed education and training much more readily available and more cost effective than the Bureau of Indian Affairs (BIA) or other entities.

C. Navajo Community College has developed an educational model based on the Navajo Philosophy of Learning. This model appropriately sets the parameters of education based on Navajo philosophy. It doesn't in any manner diminish the importance of what Western education has to offer. Instead, it accentuates knowledge from Western education by making it relevant, much more meaningful and therefore easier to attain. In addition, this educational model revitalizes an opportunity for Navajo students to develop positive self-concept, self-esteem and self-identity. This is consistent with Western Education theories which tell us that these crucial pyschological factors are all prerequisites to effective learning. However, invariably, Western education has ignored these factors when it comes to Indian education. This model will be unveiled this year as another landmark in Indian education by Navajo Community College as it implements the model into which total curriculum integration will be achieved.

There are other programs that the College is developing in response to the immediate and long range needs of the Navajo people. Mr. Chairman, I am telling you this only to point to the fact that Navajo Community College is an instrument of the Navajo Tribe and as it develops, it is undertaking a larger role as a valuable and multifaceted resource to the Navajo Tribal government. I'm quite certain that other tribal colleges are also evolving as resources to their respective tribes.

I. NEEDS

A. The College's current authorizing legislation is Public Law 99-428 which reauthorized Public Law 98-192. These two tribal college laws have never been implemented because of the BIA's failure or refusal to promulgate rules and regulations. Although the above legislation authorized needs as a base for funding to Navajo Community College, Public Law 95-471, with its archaic FTE formula, is still imposed upon Navajo Community College by the Bureau of Indian Affairs to determine our funding. Because of the severe constraints and limitation factors placed upon larger schools with large full-time enrollment, the FTE formula literally drains a large percentage of the College operating funds to pay for costs of hours over twelve (12) credit hours as established by the FTE formula in Public Law 95-471. Navajo Community College has had to pay as much as $400,000 a year for those credit hours beyond 12 credit hours. This is one major reason why Navajo Community College annually ends up in a deficit situation. Navajo Community College has been requesting that its funding be based on needs by looking at such factors as operation, maintenance, summer school, mandatory costs, basic education, special education, etc. We even developed a Needs-Based Formula Funding plan based upon the above factors to be incorporated into the rules and regulations to carry out the intent of Public Law 99-428. Our recommendation to BIA has not even been worthy of an acknowledgement.

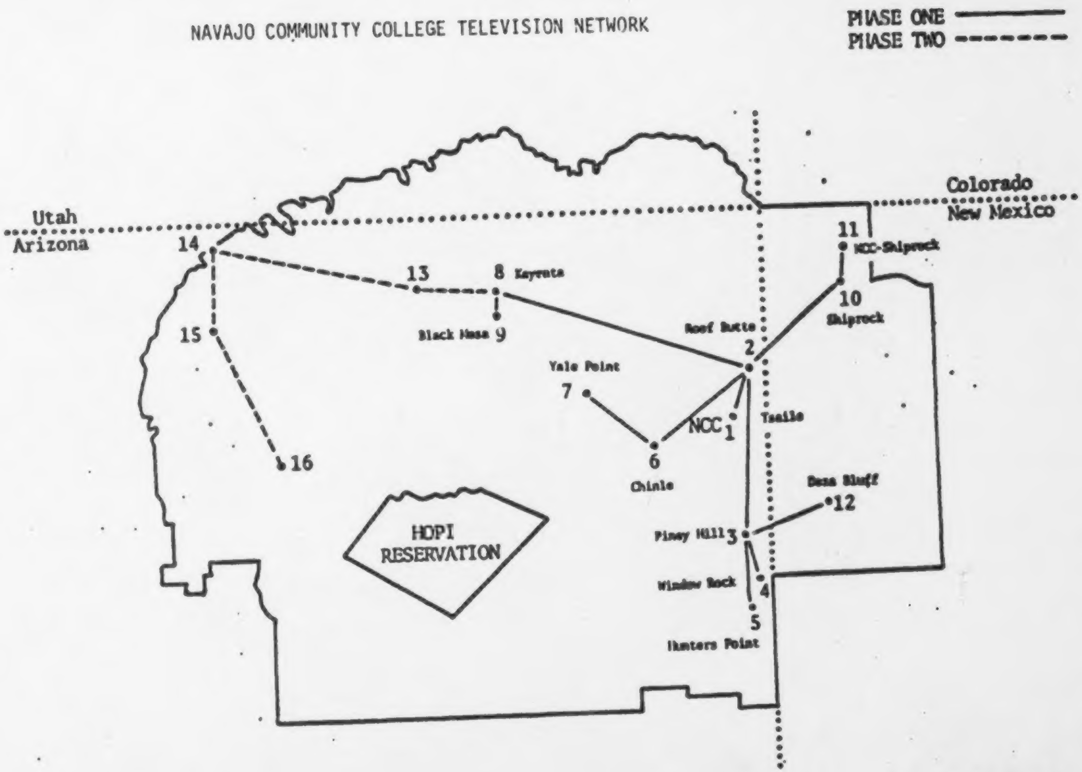
B. I want to call to your attention the BIA's request of $3.8 million for Navajo Community College for fiscal year 1989. This is a reduction of $250,000 which Congress added to Navajo Community College's appropriation. The Bureau of Indian Affairs' rationale for this cut is that Navajo Community College should raise this amount from other sources. Mr. Chairman, funds from Public Law 99-428 only covers 47% of the cost of operation for Navajo Community College. The other 37% comes from the Navajo Tribe and the remaining 16% is generated by the College from numerous sources. The BIA's rationale for our cut is therefore inappropriate and unrealistic. We request that instead of cuts, that Navajo Community College should receive $4.5 million which would be about an 8% increase over fiscal year 1988 appropriation. We arrived at the 8% figure because that's the level of increase the administration requested for the U. S. Department of Education. If they deserve 8% increase, tribal colleges certainly deserve an equal amount. We take the position that tribal colleges are as important as the Department of Education. This level of increase will be used to address some of the crucial needs of Navajo Community College such as salary increases, establishment of a retirement system and some other developments that I eluded to earlier.

C. Navajo Community College has been requesting funds for renovation of the Shiprock Campus facility since 1981. Navajo Community College has been using this facility on a use-permit arrangement with the BIA for several years. The BIA has refused or failed to carry out a study of the facilities used by tribally controlled community colleges as mandated by Public Law 99-428. This action by the BIA clearly demonstrates the barriers they raise to block tribal colleges instead of facilitating the development of tribal colleges. Congress' mandate will expire soon and we will be no where near our effort to improve our facility then when Public Law 99-428 was passed. Navajo Community College is once again requesting $5 million for repairs of the Shiprock Campus facility. This amount has been determined through Navajo Community College's independent study by an architectural firm from Albuquerque, New Mexico, as a minimum cost to put this facility at least up to safety code standards. If this is not feasible, we have the original request of $23 million for a new facility (Attachment "B"). This study has been updated and is included as an alternative to the $5 million renovation request.

D. The 1989 Bureau of Indian Affairs' budget request cut the $500,000 tribal college endowment appropriated by Congress in 1988. The rationale for this cut is the BIA's claim that the endowment funds have not been evaluated. This is a totally ridiculous and unsupported claim, because not a penny of this fund has yet been received by any of the colleges, therefore, how can evaluations be done? We request that this fund be restored and released for use because it truly represents a significant step toward the establishment of self-sufficiency of tribal colleges.

Your continued support is recognized and appreciated. Thank you very much for your attention.

NAVAJO COMMUNITY COLLEGE TELEVISION NETWORK


PHASE ONE
PHASE TWO
Utah
Arizona
Colorado
New Mexico
14
13
8 Kayenta
Black Mesa 9
15
16
HOPI RESERVATION
Yale Point
7
6
Chinle
NCC 1
Tsaile
Roof Butte
2
11
NCC-Shiprock
10
Shiprock
Deza Bluff
12
Piney Hill 3
Window Rock
4
5
Hunters Point

1. Tsaile
2. Roof Butte
3. Piney Hill
4. Window Rock
5. Hunters Point
6. Chinle
7. Yale Point
8. Kayenta
9. Black Mesa
10. Shiprock
11. NCC-Shiprock
12. Deza Bluff
13. Zellener
14. Page
15. Peabody Tower
16. Tuba City

NAVAJO COMMUNITY COLLEGE TELEVISION NETWORK

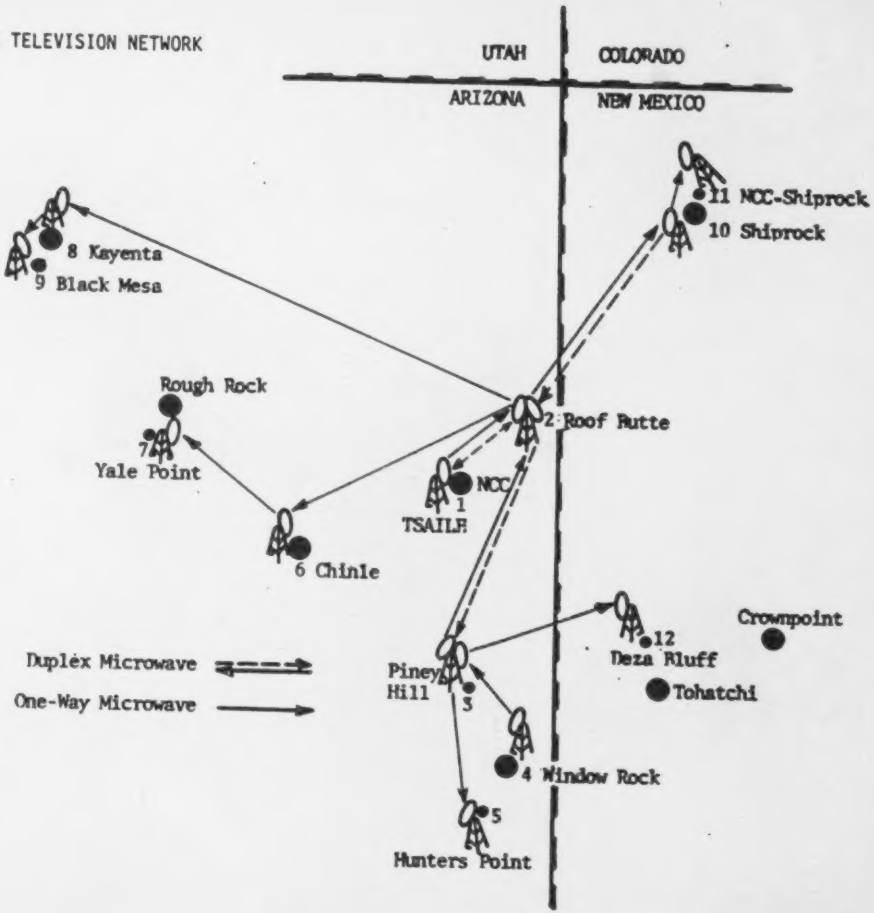
PHASE ONE

Arizona Sites

1. Tsaile
2. Roof Butte
3. Piney Hill
4. Window Rock
5. Hunters Point
6. Chinle
7. Yale Point
8. Kayenta
9. Black Mesa

New Mexico Sites

10. Shiprock
11. NCC-Shiprock
12. Deza Bluff


UTAH
COLORADO
ARIZONA
NEW MEXICO
11 NCC-Shiprock
10 Shiprock
8 Kayenta
9 Black Mesa
Rough Rock
7
Yale Point
2 Roof Butte
NCC
1
TSAILE
6 Chinle
12
Deza Bluff
Crownpoint
Tohatchi
Piney Hill
3
4 Window Rock
5
Hunters Point
Duplex Microwave
One-Way Microwave

NAVAJO COMMUNITY COLLEGE TELEVISION NETWORK

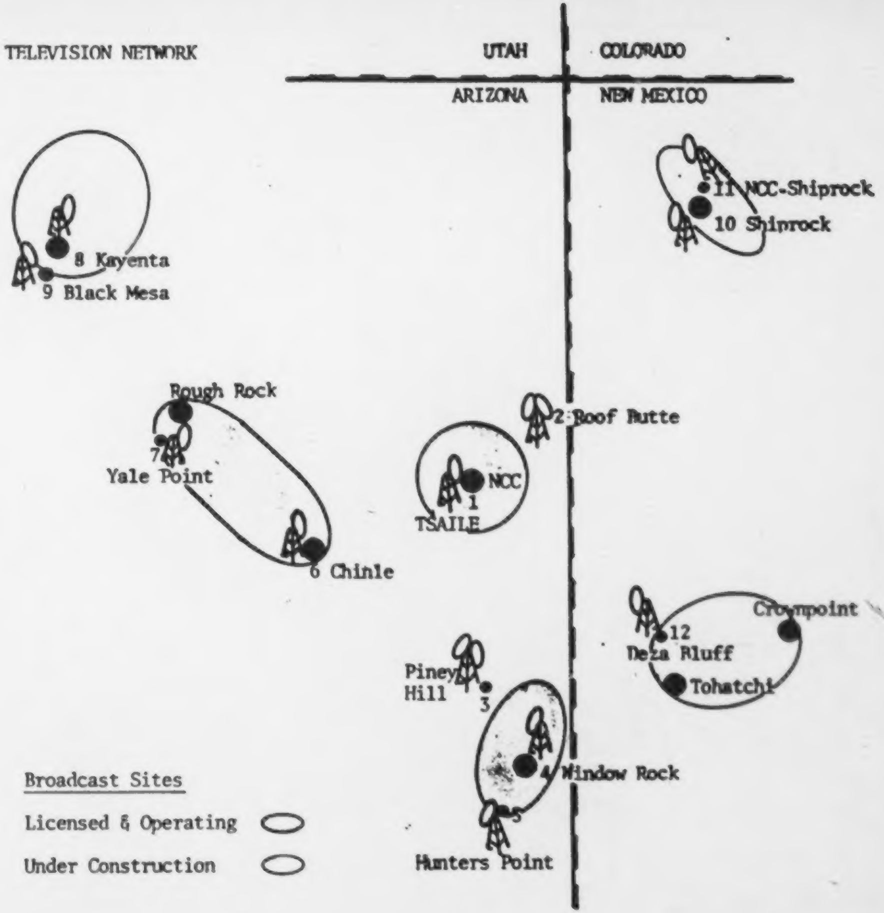
PHASE ONE

Arizona Sites

1. Tsaile
2. Roof Butte
3. Piney Hill
4. Window Rock
5. Hunters Point
6. Chinle
7. Yale Point
8. Kayenta
9. Black Mesa

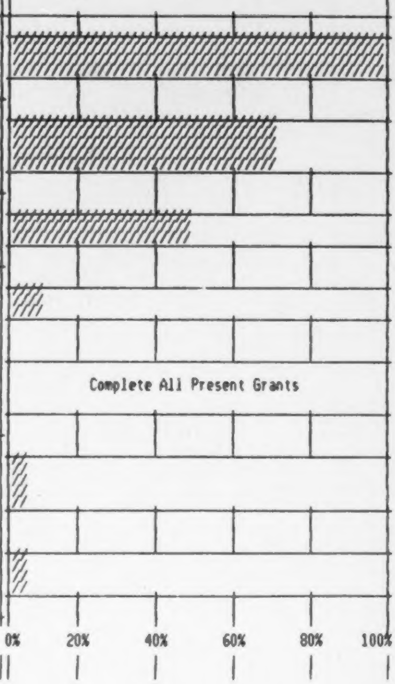
New Mexico Sites

10. Shiprock
11. NCC-Shiprock
12. Deza Bluff


UTAH
COLORADO
ARIZONA
NEW MEXICO
8 Kayenta
9 Black Mesa
11 NCC-Shiprock
10 Shiprock
Rough Rock
7
Yale Point
6 Chinle
2 Roof Butte
NCC
1
TSAILE
Crownpoint
12
Deza Bluff
Tohatchi
Piney Hill
3
4 Window Rock
5
Hunters Point
Broadcast Sites
Licensed & Operating
Under Construction

NAVAJO COMMUNITY COLLEGE - NTIA/PTFP PROGRESS GRAPH

Date	$$$ Amount	Grant Contents	Approximate Completion Percentage
1983 1984	Completed	Plan and Engineering, Site Leases	
1984 1985	$265,000	Basic Site constructions, Inter-City Relays, Microwave Facilities, First Studio Equipment	
1985 1986	$ 89,914	Additional Sites, Inter-City Relays	
1986 1987	$193,914	Additional Studio Equipment, Interconnection Sites, Test Equipment	
1987 1988		87-88 -- Deferral. Possible Early Production. Finish ALL Prior Grants. Part-time Engineer. On-Air (?)	Complete All Present Grants
1988 1989		Mobile Studio (?), Add-ons, First Certain Broadcast, First Staffing - Production On-Air (?)	
1989 1990		Additional Staffing, First Student Interns, Production Studio Interchange -- On Air	



SUMMARY NCCTV NETWORK --- 1983 TO PRESENT

* * *

I. ACCOMPLISHMENTS OF NCC & NCCTV NETWORK TO 02/15/88

A. Three grants applied for and secured.
  1. 1983-1984, Prospectus & Proposal
     1984-1985, $265,000;
     1985-1986, $ 89,914;
     1986-1987, $193,914 = $548,828.
  2. Federal Share of $548,828 = $411,621 (75%)
  3. NCC matching funds of $548,828 = $137,207 (25%)
  4. NCC support funding as of 02/88 = over $300,000.

B. Nine sites constructed and operational.
C. Three lo-power Broadcast stations fully FCC licensed.
D. Four microwave sites licensed - Seven pending
E. One studio under design/construction at Tsaile - NCC
F. First Full-time Director hired.

* * *

II. FUNDS OBLIGATED TO 02/15/88 & PROPOSED FOR 1988, 1989

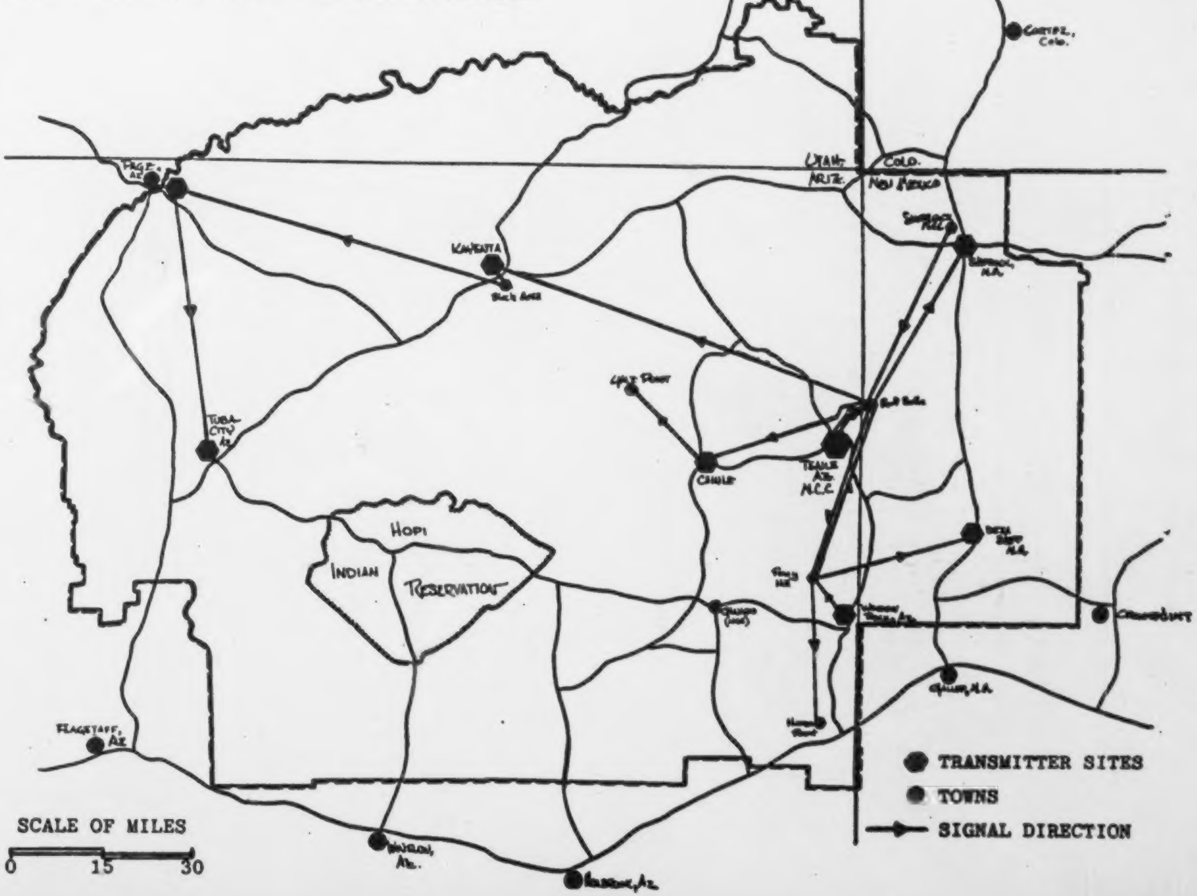
A. 1987-1988 NCC support budget (obligated) = $256,600.
B. 1988-1989 NCC support budget (proposed) = $650,000 - $750,000.
   1989--Proposed Grant budget-NCC, at 25% matching = $ 70,000 - $100,000.
C. Total NCC Proposed Budget, 1988-1989 -- $720,000 - $850,000.

* * *

III. PENDING GOALS FOR FY 1988 - 1989

A. Three more lo-power stations to full FCC license status. (6 total)
B. Seven microwave sites to full FCC license status. (11 total)
C. One-Two additional studios designed & constructed. (2-3 total)
D. Full interactive video capability achieved between Shiprock, Tsaile and Window Rock.
E. Six-Eight fulltime staff hired and on-line by 08/88.
F. Formal, Public Inaugeration of system in Sept/Oct 88.
G. First production of Navajo Language and Cultural programming. (Bilingual/Cultural, closed-captions and sub-titled)
H. First on-air scheduling (12-20 hours/day).
  1. Audience potential - 50,000 to 75,000 persons.

NAVAJO COMMUNITY COLLEGE TELEVISION NETWORK


CORTEZ, COLO.
UTAH
ARIZ.
COLO.
NEW MEXICO
PAGE, AZ
KAYENTA
TUBA CITY AZ
CHINLE
TSAILE AZ. N.C.C.
SHIPROCK, N.M.
WINDOW ROCK, AZ.
GALLUP, N.M.
CROWNPOINT
HOPI
INDIAN
RESERVATION
FLAGSTAFF, AZ
WINSLOW, AZ.
HOLBROOK, AZ
TRANSMITTER SITES
TOWNS
SIGNAL DIRECTION
SCALE OF MILES
0
15
30

NAVAJO COMMUNITY COLLEGE -- TV TRANSLATORS

CALL SIGN	LAT/LONG SITE	BROADCAST LOCATION	FREQUENCY	ORIG CP FILE NO	ORIG CP GRNT DATE	LAST EXT FILE NO.	EXT GRNT DATE	CP EXP DATE	LICENSE FILE NO	LICENSE GRNT DATE	LICENSE EXP DATE
K38AU	35 54'29"N 108 46'21"W DEZA BLUFF	CRWNPT NM	614 - 620 MHZ	BPTT- 830225XI	10/26/84	BMPTT- 8710061B 4TH EXT	10/13/87	04/13/88			
K40AP	36 17'13"N 109 11'16"W TSAILE-NCC	TSAILE AZ	626 - 632 MHZ	BPTT- 830225XL	06/15/84	BMPTT- 860930IF 2ND EXT			BLTT- 870138IC	04/29/87	12/01/87
K44BB 09/06/87	35 33'36"N 109 06'30"W HUNTERS PT	WINDOW ROCK AZ	650 - 656 MHZ	BPTT- 830225YZ	07/23/85	BMPTT- 870402IA 2ND EXT			BLTT- 871001IH	11/23/87	12/01/92
K48AW	36 48'40"N 108 40'49"W S.ROCK-NCC	SHIPROCK NM	674 - 680 MHZ	BPTT- 830225XK	03/13/84	BMPTT- 871014IB 5TH EXT	10/21/87	04/21/88			
K51AV	36 21'15"N 109 49'45"W YALE POINT	CHINLE AZ	692 - 698 MHZ	BPTT- 830225XM	03/30/84	BMPTT- 870402ID 4TH EXT			BLTT- 871001II	11/23/87	12/01/92
CH. 54	36 39'03"N 110 13'51"W KAYENTA	KAYENTA AZ	710 - 716 MHZ	BPTTL- 830225YX	01/22/88			07/22/89			

NAVAJO COMMUNITY COLLEGE -- MICROWAVES

CALL SIGN	LAT/LONG SITE	S/R LOCATION	FREQUENCY	ORIG CP FILE NO.	ORIG CP GRNT DATE	LAST EXT FILE NO.	EXT GRNT DATE	CP EXP DATE	LICENSE FILE NO	LICENSE GRNT DATE	LICENSE EXP DATE
WLE-792 *	36 47'10"N 109 41'14"W SR, NCS/ME	TSAILE AZ		BPTI- 830225NA	12/26/84	BMPTTR- 870929ME	10/22/87	10/22/88			
WLE-793 8/31/87	36 17'13"N 109 11'16"W TSAILE-NCC	CHINLE AZ		BPTI- 830225NZ	12/26/84	BMPTTR- 861221NJ	03/19/87	09/30/87	BLTTR- 830225NY	09/24/87	10/01/90
WLE-794 9/12/87	36 09'21"N 109 35'43"W CHINLE AZ	TSAILE AZ		BPTTR- 830225NU	12/26/84	BMPTTR- 861221NI	03/19/87	09/30/87	BLTTR- 830225NU	10/05/87	10/01/90
WLE-795 *	35 39'27"N 109 03'20"W WIN ROCK AZ	TSAILE AZ		BPTTR- 830225NX	12/26/84	BMPTTR- 870929NH	10/22/87	10/22/88			
WLE-796 *	36 27'40"N 109 05'44"W ROOF BUTTE	TSAILE AZ		BPTTR- 830225NR	12/26/84	BMPTTR- 870929NK	10/22/87	10/22/88			
WLE-797 *	35 45'46"N 109 10'12"W PINEY HILL	TSAILE AZ		BPTTR- 830225NY	12/26/84	BMPTTR- 870929NJ	10/22/87	10/22/88			
WLE-798 8/8/87	36 27'40"N 109 05'44"W ROOF BUTTE	TSAILE AZ		BPTTR- 830225NV	12/26/84	BMPTTR- 861221NE	03/19/87	09/30/87	BLTTR- 830225NV	10/05/87	10/01/90
WLE-799 9/6/87	36 47'10"N 108 41'14"W SR, NCS/ME	S.ROCK NM		BPTTR- 830225ND	12/26/84	BMPTTR- 870929ME	10/22/87	10/22/88			
WLE-800 9/6/87	35 45'46"N 109 10'12"W PINEY HILL	CRWNPT NM		BPTTR- 830225NW	12/26/84	BMPTTR- 861221NC	03/19/87	09/30/87	BLTTR- 830225NX	10/05/87	10/01/90
WLE-801 *	35 45'46"N 109 10'12"W PINEY HILL	CRWNPT NM		BPTTR- 830225NB	12/26/84	BMPTTR- 870929ML	10/22/87	10/22/88			
WLE-802 9/6/87	36 27'40"N 109 05'44"W ROOF BUTTE	CRWNPT NM		BPTTR- 830225NC	02/26/84	BMPTTR- 861221NA	03/19/87	09/30/87	BLTTR- 830225-0A	10/05/87	10/01/90
NEW		KAYENTA AZ		BPTTR- 830225MT	DISMISSED 06/05/86						

TI = INTERCITY RELAY TTR = TV TRANSLATOR RELAY

A SURVEY AND STUDY OF THE
ACADEMIC FACILITIES NEEDS
NAVAJO COMMUNITY COLLEGE
1988

NAVAJO COMMUNITY COLLEGE
TSAILE, NAVAJO NATION (ARIZONA) 86556

PREPARED BY:

CHAMBERS CAMPBELL & PARTNERS
Albuquerque, New Mexico 87106

In cooperation with Department of Development
of Navajo Community College

ARCHITECTS ENGINEERS PLANNERS

Ray H. Chambers
Douglas A. Campbell
Annelle M. Darby
Richard P. Doering

CHAMBERS CAMPBELL & PARTNERS
3500 Indian School Road, N.E. Albuquerque, New Mexico 87106 505-266-5521

February 12, 1988

Dean Jackson, President
Navajo Community College
Tsaile, Arizona

REFERENCE: Survey and Study of the Academic Facilities Needs
Navajo Community College

TO: Navajo Community College Board of Regents and
Dean Jackson, President
Navajo Community College

FROM: Chambers Campbell & Partners

Dear President Jackson and Regents:

We are pleased to submit to you a study documenting development needs of the Navajo Community College.

You should know that many members of the NCC staff worked very hard in this planning study effort. Their cooperation with our firm was outstanding.

Our portion of this research and planning effort documents physical facility needs, the costs of these needs and the scheduling of these needs for (1) the NCC Branch Campus at Shiprock, New Mexico; (2) the Main Campus at Tsaile, Arizona; and (3) the major extension locations of NCC's out-reach efforts.

The defined physical facility needs have been coordinated with the existing and proposed academic delivery system of the Navajo Community College -- they have further been planned in conformance with the educational mission of the College.

I believe this study is an important beginning to continued development of the Navajo Community College system. Considerable work remains and we will remain prepared to provide you with assistance as may be required.

Thank you.

Very truly yours,
CHAMBERS CAMPBELL & PARTNERS

Douglas A. Campbell
Partner

DAC:dd

ACKNOWLEDGMENTS

The administration of NCC participated fully in development of the information and recommendations of this report. Those who participated are:

Dean Jackson, President
James M. Tutt, Vice President for Administration Services
Dana Russell, Director of Special Grants and Programs

Special mention should be made of the concerned and persevering efforts of Mark Schoepfle, Director of Research and Development at the Shiprock Campus.

Several faculty members, students, and community residents also contributed information and effort. Philip Reno was most helpful in assembling data on employment manpower.

For the Consultant (CC&P), the following staff participated:

Douglas Campbell, A.I.A.
William B. Davis
David M. Shatz
Jerold G. Widdison

Also involved with recommendations for the Tsaile Campus were the firms of Randy Holt & Associates, Inc. and Allison Engineering.

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I
INTRODUCTION

Navajo Community College (NCC) is the first institution of higher education located on an Indian reservation and controlled by Indian people. The College was chartered in 1968 by the Navajo Tribal Council, which delegated authority for direction and control of the school to a ten-member, all-Navajo Board of Regents. In January, 1969, the first classes were held, with an enrollment of 301 students.

A. The College Program

Since that time the College has served the Navajo people well. The College's program is adapted to the special needs of "the People," including the development of a healthy pride among the Navajo in their heritage. But further, the objectives of the College look strongly toward today's world, and to the future of the Navajo people. The objectives include providing two-year degree programs, providing vocational-technical programs, providing adult education, and providing community service throughout the reservation.

Navajo Community College now has a full term enrollment approaching 1,100 students in all its programs. Somewhat fewer than one-half of the students are in residence at the Tsaile campus, and nearly as many are at the Shiprock branch campus. The remainder are enrolled in the extension programs that are operated by both campuses.

Approximately eighty percent of the students are Navajo. Ten percent are members of some twenty other tribes, and ten percent are non-Indian.

Students attend Navajo Community College for a wide variety of reasons. In keeping with the traditional community college philosophy, NCC serves those who are interested in lower-division college work, including those who plan to transfer to universities to complete bachelor's degrees. The institution also serves those who simply want to upgrade job skills, or to obtain high school equivalency. Not to be overlooked are those who have a personal interest in a certain area which they wish to pursue as part of the enrichment of their lives.

NCC has a strong two-year program for high school graduates, leading to an Associate of Arts Degree. This program prepares students to enter the junior year of college at other institutions, and numerous NCC graduates have in fact gone on to complete bachelor's degrees, and some have entered graduate school.

The Navajo and Indian Studies courses at the College are among its most popular offerings. They are intended to help Indian students learn more about themselves and their people, wrestle with the problems of living in two cultures, and sharpen their awareness of the political, economic, and social situations and potentials of Indian people. The curriculum in Navajo and Indian Studies includes courses in Navajo language, history and culture, Navajo psychology, southwest Indian tribes, history of Indian affairs, Indian law and government, Indian music, Indian art, contemporary Indian affairs, and Indian education. Credits earned in these courses have been transferred to other institutions. In addition, students at the College have opportunities to learn silversmithing, weaving, pottery, basketmaking, and leather work from expert Navajo craftsmen. Many students have developed considerable skills in these crafts and some have been able to sell much of their production.

OBJECTIVES OF NCC

A. To provide academic foundations for students who plan to transfer to senior colleges or universities.

B. To provide vocational-technical training programs for students.

C. To provide adult education courses for individuals who desire further education.

D. To provide a program of community service and community development.

E. To provide assistance and consultation upon request to public, church and Bureau of Indian Affairs schools and other organizations or institutions in the area which the College serves.

F. To foster the development and preservation of a healthy pride among Navajo people in their heritage.

G. To serve as a center for development of Indian cultural studies with special emphasis on the Navajo.

As for non-degree programs, NCC provides several types of directed studies, many of them in outlying locations away from the main campus. For example, learning experiences for students who have not yet completed high school are organized so that a student may begin his studies at any academic level for which he may be ready and proceed to a high school equivalency diploma. Personal counseling and placement tests are available to help students start their studies at appropriate stages. The College administers the GED examination several times during the year.

The extension program offers courses at approximately thirty-four small communities throughout the reservation, serving both young people and adults.

The College has enrolled students from isolated areas of the Navajo Nation who spoke no English, and students with previous college experience at prestigious universities. Both urban and rural backgrounds are represented in the student body.

In July, 1976, Navajo Community College received full accreditation from the North Central Association of Colleges and Schools.

B. The College Campus

Navajo Community College began at Many Farms, Arizona, where for several years it used a portion of the BIA Many Farms High School. The construction of the College's own campus began in August of 1971 at Tsaile, Arizona, where the Wheatfields Chapter gave 1,200 acres of land for use by the College. The first classes held at the Tsaile campus began with the Fall Semester, 1973.

Construction of the Tsaile campus was initiated by the Navajo Community College Board of Regents and funding was endorsed by Congress. The passage of the Navajo Community College Act (Public Law 92-189) in December, 1971, assured basic long-term funding for the College, specifically $5.5 million for construction and an annual sum (by formula) for operation and maintenance. Because of its location and nature, the school cannot depend upon the usual tax-based support that state institutions use. Construction funds and operational funds have also been obtained from various grants and other government programs, and in fact, the College still depends heavily on grants and donations for its continued growth.

More recently, the NCC Board of Regents and the Tribal Council requested and supported amended legislation to provide additional financial support. The efforts of the Board of Regents, the Tribe, and the numerous friends of NCC are continuing at the present time, and of course, this report is intended to assess and document the school's needs.

Underdevelopment or the lack of support facilities for daily living has also caused difficulty in attracting students and faculty. There is no shopping, no services, and, most importantly, there is no housing available. The only existing housing consists of the student dormitories, a 50-unit staff rental housing area, and a 50-unit mobile home area. As indicated later in this report, it is imperative that additional housing be developed immediately.

Navajo Community College has also established a branch campus at Shiprock, New Mexico. Presently the branch has an enrollment of 380 students. Some of these are full-time students, but many are employed and attend the branch campus in the evenings.

The Shiprock campus has as a major purpose the development of educational training programs -- and working relationship with other institutions -- to enable Navajos to operate and administer the Navajo Indian Irrigation Project (NIIP) and to help develop the Navajo energy resources in the Shiprock area. The objective is to maximize Navajo involvement in private businesses and governmental services in the NIIP area. The Shiprock branch offers a selected set of classes and educational programs for the local community, is conducting an information program throughout Navajo country about the NIIP and opportunities in the Project area, and is designing a comprehensive man-power program for area development, including long range College programs.

The general educational needs of the area are not being overlooked, however. Courses include basic education, preparation for the GED Exam, basic college level subjects, and others designed to meet the needs of a Navajo population in rapid transition. Courses in specific job-related skills are being implemented as the needs of the area are identified.

Many of the Shiprock faculty are part-time instructors who are employed in industries, businesses, and schools.

The Shiprock campus is located in an energetic, growing Indian community. The need for the College here is obvious, and the role it plays is clear. Unfortunately, however, the school facilities are totally makeshift and inadequate. They consist entirely of temporary buildings and trailers clustered on a dirt lot. There is no student or staff housing. The need is very great for a real campus with adequate permanent buildings.

One asset that the Shiprock branch does have is some 500 acres of irrigable farmland, which is used in agricultural education and research.

Finally, NCC offers courses in numerous extension locations. These are mostly evening courses, and include both academic subjects and vocational-technical subjects. The courses are usually taught in local school buildings and community centers, and are taught by part-time faculty.

While the locations of the extension courses vary from year to year, the following communities are those that have consistently had participation: Aneth, Utah; Chinle, Cottonwood, Dilcon, Fort Defiance, Kayenta, Kaibeto, Leupp, Many Farms, Page, Piñon, Rock Point, Shonto, Tuba City, Wide Ruins, Window Rock, and Winslow, Arizona; and Gallup, Navajo, and Ramah, New Mexico.

II
DEMOGRAPHICS OF THE SERVICE AREA

A. Navajo Population Characteristics and Trends

The demand for educational services is presently not being met by the Navajo Community College and especially by NCC-Shiprock. Much of the failure at NCC-Shiprock can be attributed to lack of facilities. The necessary facilities, as well as their lack, have been identified both through need indicated by program plans by NCC-Shiprock staff, and by independent study and evaluation. It is proposed herein to develop facilities to accommodate a minimum 1,500 fall term student enrollment, The proposed physical facilities will be designed to facilitate educational training in the following programs:

1. Agricultural-oriented vocational and technical training which will provide adaptive skills to cope with economic, technological and social change in the Shiprock and Four Corners Areas.

2. Post-secondary, two-year academic education suitable either for credit transfer to a four-year academic institution or for negotiation of appropriate vocational career.

3. The education in Navajo language and cultural knowledge which will make possible the mediation of traditional Navajo life by individual and family.

4. Adult education and continuing educational services which can be extended to the communities where many Navajos live.

This needs assessment for facilities is based on Fall Term Enrollment and not Full-Time Equivalency, or FTE. FTE is an accounting procedure designed primarily to plan for operational funds for a school which is already built and which adequately houses the students to be served. However, in planning a set of facilities for future use, the adequate housing of activities must be based on maximum enrollment, which is usually 125 - 150% of the usual computed FTE. Clearly, if fall-term enrollment is not used in planning future facilities, then FTE will never reach the desired or projected mark because students will be turned away on opening day, and they will never come back.

Moreover, present fall term enrollment projection, i.e. 3,700 overall for NCC and 1,500 for Shiprock are objective based. They are also exceedingly conservative. Thus, they are not based entirely on the enrollment history of the College but primarily on the population growth potential in the surrounding area. For example, unlike the rest of the U.S., Navajo school-age population, numbering over 63,000, will be increasing markedly in the next 10 years. Enrollment history alone is not a good indicator, especially for the proposed Shiprock campus, because of the gross inadequacy of the facilities. The above objective-based projections actually constitute only 2% of possible student enrollment, an objective easily attainable!

In fact, this objective will be surpassed as the extension sites develop. As a result, we propose that permanent extension facilities be built, according to the enclosed prototypical design, as subsequent enrollment warrants.

Thus, while the Bureau of Indian Affairs has often used FTE in an attempt to safeguard against facilities' capacity exceeding actual enrollment, this study has taken into greater account the surrounding demographic and economic factors of the area.

Indicators of Demand - Both the Navajo educational need and the proposed NCC-Shiprock responses are justified by five demographic and social facts. The first is that there is a growing population of school-age Navajos who will require post-secondary education. Median age of the Navajo population is 16.3 years, as opposed to 29.5 years for the U.S. It indicates that, unlike the population of the U.S. in general, the future volume of college enrollment will increase in the next ten years or more, not decrease.

For example, Table 1 shows population estimates of Navajo residents by age groups. The age groups shown in Table 1 constitute current and potential school age children as of July 1, 1977. Analysis of Navajo residents shows that in eight years, 1987, the volume of potential school age children in grades 10 through 14 will increase by some 43.6% (from 16,474 to 23,650). Navajo birth rates suggest that this trend might continue well into the 1990's. The Navajo Department of Education estimates that some 63,000 Navajo children are currently being educated in grades K through 12th. This current enrollment could easily increase to 90,000 by the late 1980's or early 1990's. An equivalent increase in NCC enrollment from only those traditional students (ages 18 through 20) could mean a minimum fall-term enrollment of some 1,600 students by 1987. Total

TABLE 1

Estimated Navajo Population by Age Groups
Existing and Potential School Age Children - 1977

Age Groups	Equivalent School Grades	1977 Population	% of Total Population
0 - 4	Pre-School	20,814	14.8%
5 - 9	K to 4th	23,650	16.8%
10 - 14	5th to 9th	21,256	15.1%
15 - 19	10th to 14th	16,474	11.7%

Source: BIA Provisional Estimates July 1, 1977

NCC enrollment would of course be even greater as it would also include students in vocational education and continuing education in age groups from 16 through possibly 40 years of age and non-Navajo students as well. It is conservatively estimated that by 1990 total Fall term enrollment of NCC could reach 3,700 students. Enrollment can be assumed to have the following mix:

Tsaile Main Campus and Extensions	2,200
Shiprock Branch Campus and Extensions	1,500
Total NCC Fall Term Enrollment	3,700

In comparison to total potential demand for post secondary and vocational education exhibited by the existing and potential Navajo population these enrollment estimates for NCC must be considered very conservative. For example, NCC by 1990 would only be providing Fall term educational services to less than 2% of the total population of the Navajo Nation. However, even this modest objective more than doubles the current effort of NCC. Exhibit 1 is a graph illustrating past and anticipated Fall term enrollment of the Navajo Community College, 1969 to 1990.

B. Manpower Summary

Secondly, there is a drastically increasing employment manpower demand, particularly in the Shiprock Agency, because of a major transformation in the area's economic and employment structure. Essentially, this structural change involves a shift from the present dominance of health, education and welfare services and government administrative sector, to that of agricultural and energy resources development. Agricultural development is predicted to include primarily irrigated agra-business development. Direct employment effects will include development of small irrigation farms, farm services contracting, and construction. Energy resources development is predicted to include primarily the strip-mining of coal, with electric power production and synthetic fuels production; and uranium shaft mining and milling. Direct employment effects will include primarily construction. Indirect employment effects, both from agricultural and energy development, will include transportation and communications; health; education and welfare services; wholesale and retail trades; and police, fire and utilities services. Other anticipated effects are the elaboration of local market and cooperative distribution services.

The total number of jobs anticipated from this transformation alone will approach 12,000. Job categories include skilled manual and laborer; managerial and supervisory; and technical. This occupational distribution further justifies an integrated agricultural vocational-technical and academic program.

Thirdly, insufficient educational preparation has resulted in a high unemployment rate for Navajos. Within the present Navajo labor force, the median level of educational attainment is 4.9 years, lower than the National average. The closely-connected unemployment level is 50-60% of the work force, approximately 10 times the national average. Insufficient educational preparation is due to a complex of factors including inadequate adaptation of Navajo language into teaching, funding inequities, and multiplicity of agencies purportedly serving the Navajo Reservation. The condition of educational preparation necessitates both the Navajo-language orientation and the need for a community-based adult basic and continuing education component.

Fourthly, the Navajo Tribe has clearly stated its commitment both to high Navajo employment in the ongoing economic transformation and to an integrated educational program. Through the activities of the Office of Navajo Labor Relations (ONLR), the efforts of labor unionization and Tribal governmental negotiating have been focused to formulate and enforce Navajo preference in hiring. In mobilizing the post-secondary training, the Tribe, through Navajo Agricultural Products Industries (NAPI) Board of Directors, has explicitly identified the Farm Training Program at NCC-Shiprock as the primary training capacity for NAPI's agricultural worker development.

Furthermore, the Navajo Tribal Council, Chairman of the Navajo Tribe and NCC Regents have expressed concern that Navajos are not sufficiently trained to meaningfully participate in the overall economic development process of the Navajo Reservation. Of specific concern, is that economic development process related to energy resource development of the Tribe's natural resources. Hence, the need for NCC to educate in the professional academic disciplines, such as, engineering, environmental sciences and other technical and managerial fields.

Fifthly, it has been found that the students themselves prefer attending post-secondary institutions combining academic and vocational skills which are also on-Reservation and close to home. Evidence supporting this preference comes from a study conducted by the Navajo Tribal Division of Education's Higher Education Scholarship Program. There, nearly 80% of a sample of graduating high school seniors, who had indicated desire to continue their education, stated that they would like to attend an on-Reservation two-year institution featuring both academic and vocational training. The reasons cited included hope for more accessible financial aid, and feelings of emotional and psychological security.

Other evidence supports the inclination to attend close to home. This is found in the distances students wish to travel to commute to NCC-Shiprock, an institution without dormitories. The mean commuting distances for academic students was 7.7 miles one way, with absolute distances varying from 0 to 70 miles for one-way trip. On the other hand, Basic Farm Training students' mean one-way commuting distance is 15.3 miles, with distances varying from 0 to 100 miles. The latter population differs from the academic commuters in that housing is available for some and entrance requirements do not include high school graduation or its equivalent.

We therfore conclude that there will be an increasing number of students, of all ages, who will be able and available to attend a school located in the Shiprock area. Moreover, these students will prefer to attend a school located there if facilities are made available to provide the integrated educational program described above.

III
THE EDUCATIONAL DELIVERY SYSTEM - GOALS AND OBJECTIVES

A. Introduction - Navajo Community College Goals

The Navajo Community College (NCC) is the only Navajo owned and operated institution of higher learning. The college was established primarily to fulfill the special educational needs of the residents of the Navajo Nation. The term "special needs" has an overriding meaning when one studies the differences between educational attainments of United States citizens as a whole and those attainments of the people of the Navajo Nation. For example, the average educational attainment of the United States is 12 years. The average educational attainment of the Navajo is five years. The margin of difference between United States averages and Navajo residents in other social and economic indicators only widens and hence magnifies the need to do a better job educating residents of the Navajo Nation. Currently the best estimate of Navajo students (K through 12) in the Navajo Nation is 63, 153.[1] It is likely this figure is conservative since data tabulation of students between Arizona and other surrounding states cannot be reconciled into a positive head count.

Conservative or not, demographics of the Navajo people clearly document the enrollment will continue to grow dramatically through the next two decades. A situation not paralleled elsewhere throughout this nation. A situation which clearly calls for "special needs" in an educational delivery system if demand is to be met and progress in Navajo educational attainment is to be achieved.

The Navajo Community College has adopted as a main educational goal to:

> Place emphasis -- "in those areas of study which are designed ultimately to provide training for the manpower needs of the Navajo Nation -- in baccalaureate training -- in technical and other vocational fields -- to enable the graduate to gain employment in his field of preparation"[2]

The Navajo Community College has adopted an equal but broader social goal as well:

> "-- Each member of the Navajo society must be provided with an opportunity to acquire a positive self-image and a clear sense of identity -- it is the special purpose of the Navajo Community College to promote among Navajo men and women and understanding of their unique heritage, language, history and culture and to perpetuate traditional values for Navajos as individuals and as a Nation."[3]

---

[1] Navajo Division of Education, Progress Report 1-6 and 5-31, 1978--A Comprehensive Education Facilities Plan for the Navajo Nation

[2] Navajo Community College, Tsaile, Navajo Nation, Arizona, 1979 General Catalog 1980 p.3.

[3] Ibid, 1

These have not been idle goals of the Navajo Community College -- means have been taken to reach these goals. For example, the fact that the Navajo people live in dispersed areas has necessitated the centralized location of the main campus to the majority of the population. This center is a predominantly rural location, isolated from many of the services taken for granted elsewhere. Development of the campus is complicated by the difficulties of physical infrastructural maintenance, and the need to supply faculty and staff housing.

The development of the Navajo Community College Campus at Tsaile was a courageous and yet necessary decision. An important decision made to locate the campus where the Navajos actually are. As a result, it has taken on the symbolic importance to the Navajo people comparable in scope to the location of Brasilia within the national heartland of Brazil. Navajos now know it is their college, built to serve their needs. Thus, it can be said that the Board of Regents' decision to locate the main campus at Tsaile has achieved the early goals set forth in the original concept of the College.

The wide-spread population, hampered by difficult travel conditions, has resulted in decisions to include extension activities as an important part of the educational delivery system of the College, which provides educational services to the Navajo people. Currently the College offers courses at some thirty-four (34) extension sites and one branch campus site located throughout the sprawling Navajo nation. Where the college cannot afford to provide direct educational services these services are brokered. Although this system of out-reach has certain disadvantages it clearly indicates the College's dedication to academic goal attainment. Naturally, physical plant problems and delivery of service problems are not independent factors in overall operation of the Navajo Community College. Each, separately as well as collectively, impacts the total educational delivery system of the Navajo Community College. For example, less extension activities would result if physical plant funds were available to increase student and faculty housing at the Tsaile Main Campus. This in turn would improve the quality of educational services, increase quantitatively the volume of students, and as such, improve economics of the educational delivery system.

The current branch campus operations at Shiprock, New Mexico originated as part of the NCC extension effort. However, strong economic growth dynamics, operating in the region of which Shiprock is a part, have quickly dominated and altered original educational objectives of NCC-Shiprock.

The two dominant economic forces operating in the Shiprock area and causing rapid change in the mission of NCC-Shiprock are, 1) energy related employment opportunities for Navajo labor and 2) development and operation of the massive Navajo Irrigation Project. Both of these economic activities have required rapid response by NCC in altering and accelerating the originally perceived educational mission at NCC-Shiprock. One indicator of NCC response to these external growth dynamics can be seen in their recent workshop meetings to refine institutional objectives and establish systems to measure goal attainment. For example, in April of 1978, administrative officers met in workshop management by objectives sessions to refine goal statements and establish a quantitative system to measure goal attainment. The following objective statements on the mission of the Navajo Community College are a product of the recent workshop sessions:

"To contribute to the economic, cultural and political well-being of the Navajo Nation and its citizens through providing for its present and future manpower training needs in the programs described below:

> College Transfer Programs. Provides students with the first two years of their baccalaureate training in academic areas where manpower needs exists.
>
> Technical Skills Development Programs. Provides students with opportunities for development of marketable skills.
>
> Navajo and Indian Studies Programs. Provides students with experience enabling them to develop a clear sense of identity and to learn the language and technical skills of their home communities.
>
> Off-campus Services Programs. Provide services to surrounding communities which include both training and facilitation of community development.
>
> Support Services Program. Provides the necessary administrative support and student services to assure full utilization of the educational training programs.
>
> Educational Model. Provide for (1) Navajos wishing to pursue professional or technical careers, and (2) other post-secondary Indian Institutions."

A second indicator of NCC response to growing demands for educational services at Shiprock was to develop a typical boom-town branch college campus for NCC-Shiprock -- trailers, quonset huts, hogans, used metal buildings and borrowed classrooms -- again, a courageous action to fulfill the College's academic, social and economic commitments to the Navajo Nation. But, unlike typical boom-town characteristics, the growth dynamics of Shiprock, New Mexico are long term and a growing urban Navajo community is underway. Unlike most state supported colleges throughout the adjacent southwest, NCC-Shiprock is experiencing rapid growth in student enrollment -- the most significant being related to vocational agra-industry disciplines. The Navajo Community College Shiprock Branch, since its opening in 1973, has been experiencing an average annual student enrollment growth rate in excess of 30%. The demand has exceeded the physical plant's capacity. New permanent physical facilities are required if continued progress in the NCC educational delivery system is to be achieved.

B. NCC-Shiprock Branch Campus

The proposed expansion of the NCC-Shiprock Campus will not be in competition for student enrollment with any off-Reservation institution of similar educational scope because NCC-Shiprock has been, and will be, uniquely suited to the needs of on-Reservation Navajo students. This is true because:

1. NCC-Shiprock contains the only Native American-operated agriculture training program of either present or proposed scope; it could easily become the only Native American Agricultural College.

2. NCC-Shiprock, at present and as proposed, is the only agricultural-oriented vocational technical institution whose student intake is not limited by requirements of high school graduation or GED equivalent.

3. NCC-Shiprock, at present and as proposed, is the only institution whose course offerings in Navajo language and cultural knowledge will fully enable the Navajo people to actualize their right to active participation in economic development, on one hand, and maintenance of the integrity of family and emotional and psychological security, on the other.

Agricultural Vocational-Technical - The NCC-Shiprock vocational program centers around development of agricultural skills. Its teaching features a combination of hands-on agricultural practice through the actual profitable operation of a farm; and classroom work integrated with post-secondary academic fare. Its objectives are therefore:

1. To provide basic farming skills which will allow year-around profitable operation of individual farm allotments.

2. To provide basic agricultural skills for qualification as a year-around laborer at Navajo Agricultural Products Industries (NAPI).

3. Provide basic supervisory skills for qualification as foreman or Crew Chief at NAPI.

4. Provide skills sufficient for transfer to four-year institutions in agronomy, accounting, management, and related skills.

5. Provide other vocational skills to facilitating year-around farm employment, employment in the construction trades and related employment or the finding of a job in energy construction including welding, machinery repair, carpentry, engine maintenance and repair, machinery and engine installation, and electronics.

6. Develop through the NCC-Shiprock Practical Farmer Extension Program and place back into operation, the nearly 40,000 acres of land which at one time was under irrigation but which has since fallen into disuse.

7. Extend the applications of co-operative marketing and distribution through demonstration of the present Navajo Co-operative developed through the Farm Training Project.

Intended expansion will feature especially upgrading of skills in Item "4" and "5"; increase personnel to effect Item "6"; increase annual intake enrollment from present 40 to 100; and integrate classroom work more closely with academic offerings.

Academic - At present there are six NCC-Shiprock academic division. The objective of academic divisions is the preparation of students either for transfer to four-year institutions or to allow adaptation to vocational careers. General plans are to expand the academic program scope and scale, and staff, to effect better integration with the agricultural vocational-technical program, and with the Navajo Indian Studies Division. Staff increase will occur through integrating full-time/joint appointments among the agricultural, academic and Navajo Indian Studies. Each Division's short term objectives are summarized as follows:

1. Increase the scale of the Communications, Humanities and Fine Arts Division to include staff for an existing newspaper, a proposed radio station designed for training purposes, and through advertising for agriculture marketing.

2. Increase scale of the Mathmatics and Sciences Division to strengthen engineering preparation for Navajo energy development, environmental studies, biomedical studies, and technical applied agriculture.

3. Increase scale of social sciences Division to include discipline offerings in social work, agricultural economics, business development, and social environmental studies.

4. Increase the scale of the Educational Division to develop more fully the Early Childhood Development studies for day care center operation, Navajo teacher development, and to provide school program evaluation services.

5. Increase scale of Business and Secretarial Sciences Division to augment transfer courses in management, business administration, farm management, and secretarial and clerical skills.

6. Increase scale of Navajo Indian Studies joint appointments of faculty and staff in order to improve the integration of Navajo linguistics and cultural knowledge into the curriculum development of other divisions:

7. The integration of the agricultural program, presently funded by the Navajo Tribal's Job Training Partnership Act (JTPA), into all academic divisions through joint appointments and hands-on training projects in agriculture.

8. The creation of Continuing Education as a Division, with part-time faculty under direction of the other respective divisions.

Adult and Continuing Education - The present continuing education division, at Shiprock and Tsaile conduct college-level courses from the various NCC academic and vo-tech curricula. Continuing education programs are currently offered at 34 different sites throughout the Navajo Nation. Facilities generally include space donated by other institutions or, in a few cases, leased by the College. Generally, the goals for continuing and upgrading include the following:

1. The inclusion of college-preparatory courses for those Navajos who either never finished secondary school or who have been out of school for a long time.

2. The inclusion of adult basic education courses, allowing more informed decisions in economic, social or technological matters affecting the communities in which they live.

3. The infusion of adult basic education courses effecting better economic, social and technological skills in off-Reservation areas, and better medical and hygenic care.

4. The increase in scale of personnel in order to provide locally the services of career and guidance counseling, recruitment, and dissemination of information about education through the strategic establishment of extension centers.

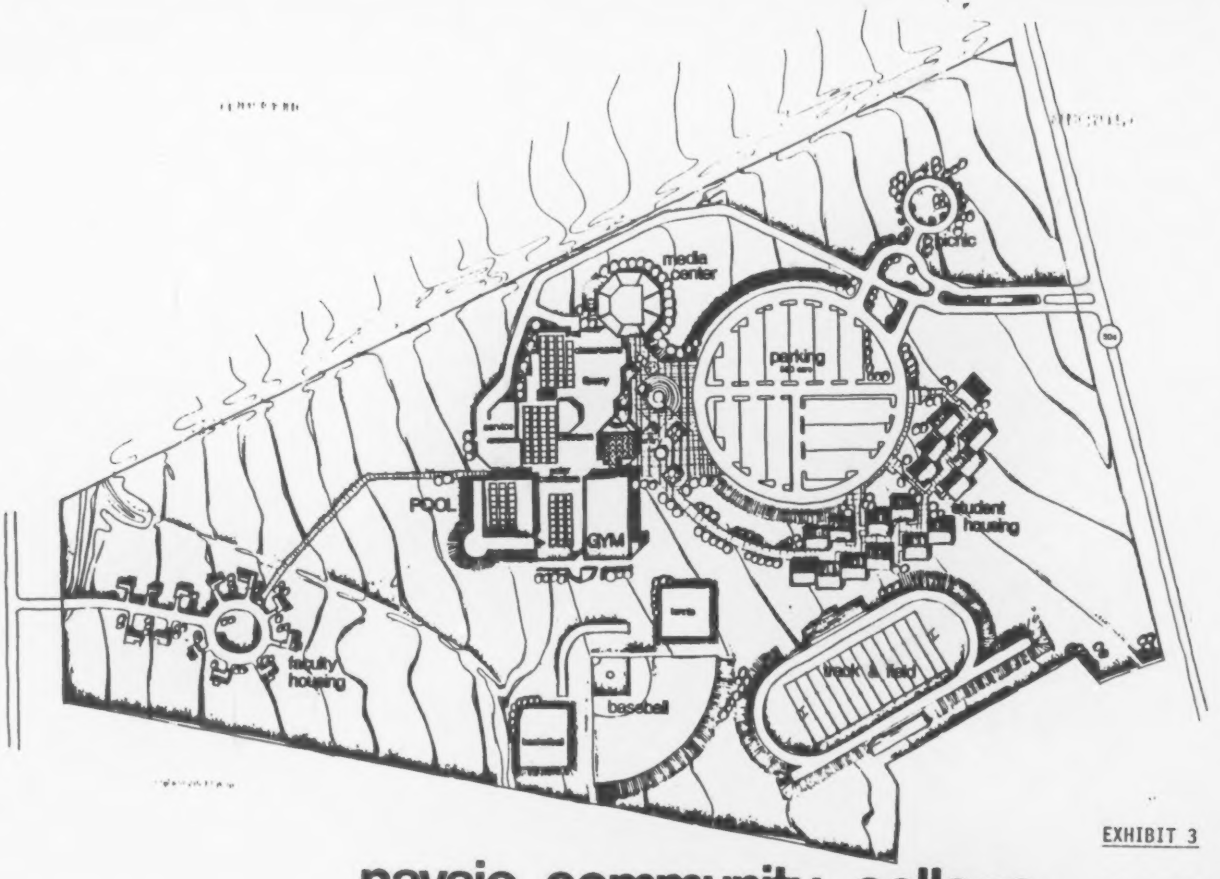
picnic
media center
library
service
parking
student housing
POOL
GYM
tennis
track & field
baseball
faculty housing
504

EXHIBIT 3

navajo community college
shiprock campus

0 50 100' 250'

CHAMBERS CAMPBELL ISAACSON CHAPLIN INC.
architects engineers planners

IV
CAPITAL IMPROVEMENT NEEDS TO MEET N.C.C. EDUCATIONAL DELIVERY SYSTEM

A. Shiprock Branch Campus

As evidenced in the previous sections of this report, the educational delivery system at the Shiprock campus is severely limited in part by the existing physical facilities. Student input from survey questionnaires suggests that the campus is not, in the present form, conducive to achieving the high purposes and goals set forth by the founders of the College.

This report documents that future demands on the College are going to increase. The need for the College to be housed in an adequate learning environment will become an ever-increasing area of concern. Hence, it becomes necessary for the administrators of the College to plan for the capital expenditures and the operational budgets which will develop and support the required College facility. Facility needs assessment is documented in Volume 2 of this report.

1. Site Analysis and Recommendations - NCC-Shiprock

Exhibit 2 is a map of land holdings currently being used by NCC-Shiprock. The map has been shaded in various areas to show potential sites for development of new campus facilities. These shaded areas have been designated as Sites A, B, and C on Exhibit 2. Other sites, some with existing facilities, were also evaluated in the course of this study. However, in the judgment of NCC-Shiprock staff and this Consultant, the most favorable development scenarios for construction of new NCC-Shiprock campus are at Sites A, B, and C as shown on Exhibit 2.

Site A, a 60± acre parcel of land currently in agricultural use, has been studied as one potential site for NCC-Shiprock campus development. A schematic site development plan illustrating one approach to campus land use is shown by Exhibit 3. There are, of course, other design approaches to campus land use, but Exhibit 3 serves to indicate that this 60 acre parcel of land could accommodate the required physical plant to facilitate the academic program of NCC-Shiprock. The primary advantage of Site A is that its size would provide for unlimited branch campus expansion. The primary disadvantage of Site A is that development of the campus would replace current irrigated land in agricultural production -- agricultural production which is an integral part of the NCC-Shiprock Agricultural Training Program. A secondary negative aspect of Site A relates to an underground irrigation syphon which bisects the site from north to south. Campus development would be required to respect the easement of the irrigation syphon. That is to say, no construction could be placed over the syphon.

In an effort to seek an alternative site location, the Consultant prepared a comparative analysis of campus land area requirements. Using accepted standards of the American Association of Junior Colleges, land requirements by major campus land functions were studied.

Table II summarizes the findings of the comparative analysis procedure used to determine an appropriate size for the NCC-Shiprock Branch campus. The analysis is based on an estimated student enrollment at NCC-Shiprock of 1200.

TABLE II

CAMPUS SIZE RECOMMENDATION IN ACRES
NCC-SHIPROCK BRANCH CAMPUS

Major Campus Land Use Function	Required Area of Campus In Acres Min.	Avg.	Max.	NCC-Shiprock Recommended
Academic	7.25	8	9.5	10
Parking & Drive	6.0	7.15	8.4	7.5
P.E. & Courts	6	12	17.5	12
Student Housing [1]	--	--	--	8
Open Space	4.5	8	11	9
TOTAL CAMPUS SIZE (ACRES)	23.75	35.15	46.4	46.5

[1] Housing for students is not a traditional land use function of junior colleges. However, special needs of Indian students will require housing facilities at Shiprock.

As shown in Table II, it is recommended that a site of 46 to 48 acres be utilized for NCC-Shiprock campus development. Additional land area would be required to accomodate faculty housing. The Consultants recommend that faculty housing be developed elsewhere than at Site B. Some additional ten (10) acres of land would be required to accomodate faculty housing needs.

In determining campus size, it became apparent that Site B, the site of the existing NCC temporary college facility, would also be large enough to house the proposed new campus facility. The east portion of Site B is currently occupied by ten trailers and two temporary quonset huts. The western portion of the site houses the Agricultural-Vo-tech program, including four permanent structures and small experimental agricultural plots and livestock pens. As might be expected, these adjacent land use functions are not complementing and result in numerous compatibility problems. Relocation of these NCC agricultural operations have for some time been the school's objective for compatibility reasons, as well as safety and efficiency of operations reasons.

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In response to these site location factors, the Consultant recommends that the NCC agricultural program be relocated in permanent facilities at Site C shown on Exhibit 2. This action would enable the following development scenario to occur:

a. Relocation would place the agricultural program adjacent to the agricultural activity areas. Efficiency of operation would result by eliminating double movements of students and heavy farm equipment. Place-of-use would become place-of-instruction as well as place-of-equipment maintenance and repair.

b. Safety of program operation would be achieved by reducing the movement of farm equipment over highways. Energy consumption for people and equipment movement would be reduced.

c. Relocation of the NCC agricultural program would allow initial NCC campus development to occur on the western portion of Site B, hence maintaining uninterrupted operation of campus facilities currently functioning on the east portion of Site B. Upon completion of the initial development of NCC-Shiprock facilities, relocation from temporary trailers could occur and second phase development could then be initiated on the eastern portion of Site B.

The above defined development scenario would enable optimum utilization of NCC-Shiprock land holdings and create minimum interference with continued operation of the College during development of a new permanent physical plant.

Field checks of Sites A and B indicated that availability of utilities to support development at either site were comparable. However, utilization of Site C for the agricultural program will require utility (water, sewer, gas) improvements. These utility improvements for Site C are included in the following table, itemizing capital improvement costs for the proposed new NCC-Shiprock Branch

2. Estimated Capital Development Costs

Table III itemizes estimated capital costs necessary for construction of the proposed NCC-Shiprock Branch campus. Building function and size has been coordinated with the academic program needs of the school's educational delivery system (see Section III). Costs have taken into consideration special design needs of the potential sites as well as typical soil and climatic characteristics of the Shiprock area. Costs have assumed the design concept of "campus" development. Specific design study on the project should, however, also evaluate the mega-structure design concept as an alternative to "campus development."

No major problems with utilities of water, sewer, and gas are associated with development at Sites A or B. Utility extensions, however, are required at Site C and have been so calculated in Site and Utility Development Cost Estimates.

TABLE III

ESTIMATED CAPITAL DEVELOPMENT COSTS NCC-SHIPROCK BRANCH CAMPUS

BUILDING	ESTIMATED COST	DEVELOP. PHASE
LIBRARY 9,000 SF	$ 765,000	Two
STUDENT SERVICES-COMMUNITY CENTER Including gymnasium, natatorium, book store, cafeteria 58,900 SF	4,796,000	Two
VOCATIONAL, TECHNICAL AND AGRICULTURAL CENTER Including storage, circulation space and support facilities 31,400 SF	2,355,000	One
ACADEMIC INSTRUCTIONAL FACILITIES Including labs, classrooms, storage, circulation and support facilities 33,750 SF	2,700,000	Two
ADMINISTRATION 5,000 SF	425,000	Three
FACULTY OFFICES 7,400 SF	629,000	Three
PLANT MANAGEMENT - MOTOR POOL Including maintenance, gas storage 5,500 SF	341,000	Two
SITE AND UTILITIES Including athletic fields, parking, access road, landscaping Lump Sum, Sites A or B and Site C	2,804,400	One & Two
DORMITORY AND FACULTY HOUSING Including 400 dorm units and 60 faculty housing units Lump Sum	8,530,000	Three
TOTAL	$23,326,000	

3. Shiprock Branch Extension Facilities Recommendations and Costs

Outreach activities of NCC-Shiprock require development of physical facilities at three major sites. These sites are: (1) Crownpoint, (2) Newcomb, and (3) Red Mesa.

These extension centers are envisioned as coordination and development centers for the NCC-Shiprock Branch. Facilities will house general offices for program coordinators and counselors.

Functional space is assumed to be provided by modual units at the Naschitti and Red Mesa sites. Estimated capital costs for purchase and construction of these extension facilities are itemized as follows:

(1)	Crownpoint - Typical Extension Facility (see program below)	$1,555,900
(2)	Newcomb	
	One double wide modual unit	$43,000
	Utility & paving requirements	18,000
		$61,000
(3)	Red Mesa	
	One double wide modual unit	$43,000
	Utility & paving requirements	22,000
		$65,000

As educational enrollment activities warrant, each center should be expanded by the construction of a typical prototype facility.

A prototype design program and cost estimate for this facility which could be located at each extension site is defined as follows:

Typical Prototype Extension Facility

6 Classrooms - includes snack/lounge area, circulation space and support facilities 8,500 SF	$ 678,000
14 Faculty Offices - includes circulation space and support facilities 3,900 SF	331,000
Mini-Library & Book Store 4,000 SF	340,000
Utilities & Site Work - water, sewer, electrical, parking and landscaping - Lump Sum	206,900
TOTAL	$1,555,900

The cost estimate included in this report reflects many hours of research on behalf of the study team in an effort to provide a facility capable of meeting the needs of the educational delivery system previously outlined in Section III. The estimate is broad in scope and only intended to be preliminary; however, it encompasses the general requirements common to most comprehensive community colleges around the country. In order to be more specific with the cost factors, educational specifications should be developed to guide the planning, architectural, and engineering consultants in the preliminary design of the facility. This should be accomplished in the actual architectural design contract for the facility. To develop a truly meaningful educational specification or architectural program, an intense dialogue between architects, educators, community, and students should be performed during the design development phase of the design contract. Effectively documented, this design instrument can inspire a positive response in the actual design of the college; this is the most important aspect of a successful facility.

4. Total Costs - Shiprock Branch

Shiprock New Facilities	$23,326,600.00
Shiprock Extension Facilities	1,681,900.00
TOTAL	$25,008,500.00

B. Tsaile Campus

A thorough investigation of the Tsaile Campus was conducted by the survey team, and after several consultations between team members, the following costs were determined to be needed in order to place the campus facilities in good condition.

It was determined during the survey that there are some critical repair areas that need action immediately. These buildings are included as item (a) below. Item (b) contains important maintenance areas to be completed after item (a).

1. Costs for Renovations to Existing Facilities

(a) Priority Maintenance/Repair Areas and Costs

Cultural Center	$ 333,271.25
Student Union Building	8,912.31
Gymnasium	25,634.38
Staff Housing	19,093.75
Subtotal of Costs for Immediate Priority Work (a)	$ 386,911.69

(b) Existing Non-Priority Maintenance/Repair Areas and Costs

Library	$ 18,256.88
Student Dormitories	3,217.50
General Classroom Building	34,937.50
Specialized Classroom Building	11,903.13
Cafeteria	88,736.38
Site Improvements	1,340,325.00
Subtotal of Costs for Non-Priority Items (b)	$1,497,376.39

GRAND TOTAL, ITEMS (a) and (b)	$1,884,288.08

2. Tsaile - New Facilities Recommendation

A common requirement of a Comprehensive Community College facility is that it be flexible enough to meet the educational delivery system offered by the school. Community colleges are established with the philosophy of flexibility in program content, in order to reach as many community residents as possible. This philosophy has been a cornerstone in the development of Navajo Community College. As stated in the following philosophy of the Navajo Community College, it is clearly evident that the school is attempting to accomplish the goals established in its beginning.

> "To assure maximum development and success of individual students, Navajo Community College accepts the responsibility for providing individualized programs and for assisting students with their academic and social adjustment."

Since the opening of the Tsaile Campus in 1973, the curriculum has varied to meet the needs of the students. New courses have been added to the existing curriculum. Among the most popular programs the College offers are continuous workshops of short duration. Students attend these workshops from all over. These courses require the use of space for short time periods and present the problem of scheduling classroom use with major courses. The Campus at present offers little in the way of facilities to support this program.

The Campus at Tsaile can be considered a small town within itself. All the services and facilities that support a community of over a thousand people are needed at the Campus. Among these services are maintenance operations, fire and police protection and additional residential areas, both for students and staff. Additional enrollment is being hampered at present by the lack of student living facilities, and considering the fact that the Campus is basically self-contained, it is necessary for the growth of the College, to have adequate residential facilities.

The lack of staff residential facilities is also causing problems in recruiting and retaining the quality teaching staff needed at NCC.

In translating the curriculum requirements into a facilities needs assessment, the following facilities have been determined by relative priority to be needed at the Tsaile Campus:

Priority of Ranking

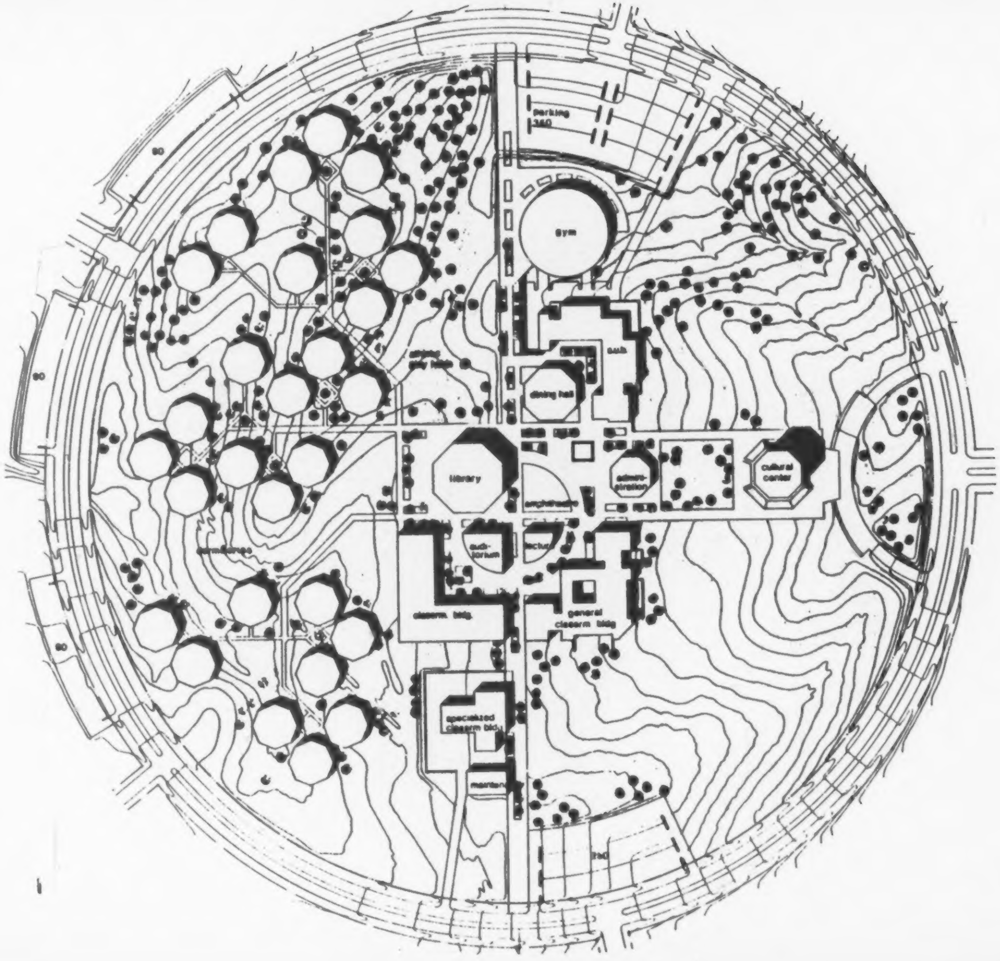
1.	Continuing Education Center Includes all site work and utilities	$3,128,775.00
2.	Additional Student Dormitories (400 students) Includes all site work and utilities	$5,885,000.00
3.	Additional Faculty Housing (50 units) Includes all site work and utilities	$3,500,000.00

4.	Animal Science Building Includes all site work and utilities	$ 95,500.00
5.	Fire Station & Campus Security Bldg. Includes all site work and utilities	$ 205,900.00
6.	Administrative and Faculty Offices Includes all site work and utilities	$1,177,000.00
7.	Student Center (Post Office, Health Center, Day Care Center, to replace temporary structures) Includes all site work and utilities	$1,097,800.00
8.	Plant Maintenance Building and Storage Yard Includes site work and utilities	$ 335,400.00
9.	Classroom Building	$1,647.750.00
10.	Subtotal - New Facilities Recommendations	$17.073.125.00

n

tsaile
campus
master plan

navajo
community
college


parking
360
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dining hall
library
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80

3. Tsaile - Continuing Education

The Division of Continuing Education is mandated to provide Navajo Community College courses to Navajos who are beyond commuting distance to Tsaile, but who cannot reside at dormitories as full-time students because of career or family responsibilities. Under the Associate Dean for Continuing Education are the following inclusive programs:

(a) Extension.

(b) Job Training Partnership Act (JTPA), Human Services Program, intended to provide specialized training in human services delivery to community and students through community organizations.

(c) Cooperative Education, intended to provide a learning environment combining classroom and on-the-job training in actual occupational employment.

(d) Native American Health Careers, intended to provide training in paramedic and nursing occupations.

(e) Recreational Education Training.

(f) Conferences and Workshops.

The primary needs toward which upgrading the Extension Program must be directed are:

(a) Alleviating underenrollment.

(b) Direction of enrollment toward degree programs, rather than non-directed accumulation of credits.

(c) Include Adult Basic Education.

(d) Underenrollment is due to three primary factors, each of which is caused by lack of permanent location for field staff.

- Lack of career counseling for Navajo adults, many of whom have been out of school for some time.
- Logistical difficulties in procuring space for coordinators and instruction.
- Lack personal contact, which is vital for recruitment.

Underenrollment is also caused by lack of direction in course enrollment. That is, many students appear to take courses simply out of peer pressure, or because they assume it is the only one they can take. Many have reported lack of knowledge about degree requirements necessary for judicious planning of individual enrollment.

Finally, underenrollment is caused by the inability of many potential students to take needed courses because of lack of sufficient secondary education. Present adult basic education is funded from discretionary grants from the U.S. Office of Education, and because of lack of staffing (and funding for staffing) is restricted in effort to the Chinle Agency.

Extension Site Enrollment - Rapidly expanding enrollment reflects not only the demographic change of Navajo populations, but more active communication and recruitment efforts. Much more remains to be done, however. Table IV is a list of the top three sites ranked by enrollment generated in each area.

TABLE IV
FALL TERM ENROLLMENT

SITE DESCRIPTION	Fall 1978
Window Rock*	329
Tuba City**	143
Kayenta***	57
TOTAL	529
% Total Extension Enrollment	32%

*Includes Window Rock High School, St. Michaels Special Education Center and the Navajo Tribal Training Center

**Is intended to include Hard Rock, Shonto, Leupp, Moenkopi and Oraibi, in addition to the Tuba City area itself.

***Is intended to include Page, Dinnebito, Dennehotso and Mexican Hat, in addition to the immediate Kayenta Area.

Facilities Itemization Cost - The Extension Program is intended to provide educational opportunity at locations where the Navajo people can take advantage of them. Classes are offered which will either directly assist persons in their jobs, or lead to an Associate's degree over a period of several years. Roughly 35% of the College's full-time equivalent enrollment has come from the extension program. The professional administrative staff of the program consists of the Director of Extension Classes and two regional coordinators, one based in Tuba City and the other based in Fort Defiance. It is proposed here to upgrade the facilities housing Extension Program.

Facilities sufficient for the housing of the personnel and activities at the following locations:

(1)	Window Rock - Typical Extension Facility	$1,555,900
(2)	Kayenta - Double Wide Mobile Unit with Utility Connections	$ 50,000
(3)	Tuba City - Typical Extension Facility	$1,555,900

As educational enrollment activities warrant, each center should be expanded by the construction of a typical prototype facility.

A prototype design program and cost estimate for this facility which could be located at each extension site is defined as follows:

Typical Prototype Extension Facility

6 Classrooms - includes snack/lounge area, circulation space and support facilities 8,500 SF	$ 678,000
14 Faculty Offices - includes circulation space and support facilities 3,900 SF	331,000
Mini-Library & Book Store 4,000 SF	340,000
Utilities & Site Work - water, sewer, electrical, parking and landscaping - Lump Sum	206,900
TOTAL	$1,555,900

4. Total Costs - Tsaile Campus

Tsaile Campus	
Renovations - Priority	$ 386,911.69
Renovations - Non-Priority	1,497,376.39
New Facilities	16,515,625.00
Extension Sites	3,161,800.00
Subtotal	$21,561,713.08
Maintenance Items	
Maintenance Contracts	$ 52,700.00
Major Equipment Purchases	154,000.00
Major Parts Stock	89,500.00
Subtotal	$ 296,200.00
TOTAL	$21,857,913.08

V
RANKING BY RELATIVE NEED OF FACILITIES
A THREE YEAR CAPITAL DEVELOPMENT PROGRAM

A. NCC Facility Requirements by Relative Need

The required facilities, as herein defined, were ranked by need. Each required facility was considered as to its relative order of need. The ranking was jointly performed by the NCC Board of Regents, the NCC President and his key administrative staff, academic and student deans, and the Consultant. All agreed that findings of this study and the goals and objectives of NCC supported as top priority the development of permanent branch campus facilities at Shiprock and required rehabilitation needs of the Tsaile Campus.

Table V shows the overall relative ranking of the facility needs of the College. Ranking of facility needs has been presented over a three year time frame, corresponding to the funding years of Public Law 95-471, Title II (Navajo Community College Assistance Act of 1978).

TABLE V
RANKING BY RELATIVE NEED OF FACILITIES
NAVAJO COMMUNITY COLLEGE
THREE YEAR CAPITAL DEVELOPMENT PROGRAM**

I.	First Year Development Program	
A.	New Shiprock Branch Campus	$23,507,600
B.	Tsaile Renovations and Maintenance	2,180,488
	Total First Year Funding	$25,688,088
II.	Second Year Development Program	
A.	Continuing Education Center	$ 3,128,775
B.	Student Dorms (400 students)	5,885,000
C.	Faculty Housing (50 units)	3,500,000
D.	Animal Science Building	95,500
E.	Window Rock Extension Facility	1,555,900
F.	Tuba City Extension Facility	1,555,900
G.	Crownpoint Extension Facility	1,555,900
H.	Kayenta Extension Facility	50,000
I.	Newcomb Extension Facility	61,000
J.	Red Mesa Extension Facility	65,000
	Total Second Year Funding	$17,452,975
III.	Third Year Development Program	
A.	Fire Station and Campus Security Building	$ 205,900
B.	Administration & Faculty Office Building	1,177,000
C.	Student Services Center	1,097,800
D.	Plant Maintenance Building	335,400
E.	Classrrom Building	1,647,750
	Total Third Year Funding	$ 4,463,850
	TOTAL THREE YEAR DEVELOPMENT PROGRAM =	$47,604,913

**Approved by Navajo Community College Board of Regents 7/20/79.

The second year development projects concentrate on improvement of the College's extension program and other out-reach efforts of the Tsaile Campus. During the second year development program, three permanent and three temporary college extension facilities require construction. These extension facilities are proposed for development at the most active enrollment extension areas of the NCC extension program.

The second year development schedule also requires the construction of a Continuing Education Center at Tsaile as well as additional faculty and student housing facilities.

NCC has become a center for conferences, workshops and short courses for a number of Tribal, B.I.A., and off-Reservation entities. The proposed new Continuing Education Center would allow the College to become the workshop and short term course center of the Navajo Nation, while freeing classroom, dormitory, and office space.

The third year of the development plan centers on new buildings for the Tsaile Main Campus. The proposed buildings house college functions vital to the operation of the school. The fire station and campus security building is badly needed as they are presently both taking up valuable classroom area. The fire truck is presently being housed in the specialized classroom area, which does not provide for the proper storage and maintenance of the equipment.

Presently, the Student Services are being housed in temporary mobile units which have a shorter life expectancy and will need to be replaced in the next two to three years. Student Health Services, Post Office facilities, and day care centers are among the services to be housed in this proposed facility.

Plant Maintenance is also presently housed in former classroom space in the Specialized Classroom Building. This function of the school should be completely separated from the classroom functions. Additional outside storage area for equipment and supplies is also needed.

All of these facilities are needed at the present time, however, for the purposes of prioritizing by relative need, these buildings can be built at a later date and still meet the needs of the College.

seattle indian health board

Testimony on the 1989
Budget Hearings
before the

Senate Select Committee on Indian Affairs

Regarding the

Indian Health Service

Presented by: JoAnn Kauffman, M.P.H.
Executive Director
Seattle Indian Health Board

p.o. box 3364
seattle, washington 98114

area code 206
324-9360

Mr. Chairman, the Seattle Indian Health Board is a non-profit health care agency, incorporated in 1970 to serve the many Indians and Alaskan Natives residing in the greater Seattle area. Beginning as an all-volunteer clinic we have grown to become the primary source of health care for 85% of the Indians in Seattle-King County. Our services include primary medical care, prenatal/obstetrics, dental, outpatient mental health counseling, transportation, outreach and outpatient alcoholism counseling. SIHB also operates a 95-bed inpatient alcoholism and drug dependency treatment center, the largest Indian operated center in the country, known as the "Thunderbird Treatment Center." SIHB was the first urban health program to receive JCAH accreditation nationally and we are committed to maintaining quality services for the 20,000 Indians and Alaskan Natives in this urban area.

While over 50% of all Indians and Alaskan Natives in the United States reside in urban areas, less than 1% of the IHS budget goes to serve this population. It is ironic that the Indian population with the least resources is first on the list for administration cutbacks. SIHB opposes the administration's budget which calls for a 10% reduction in Urban Health. For every dollar of IHS Urban Health funding, SIHB matches three dollars in other revenues from patient fees and local support. It is unlikely SIHB could generate this amount of local support without the IHS base. Considering the economic condition of our patient population and the steady decline of alternate resources it is totally unrealistic to assume that there are other local resources to "take the place" of IHS dollars.

In a scientifically sound Patient Needs Assessment Survey of 600 Seattle Indians we found that:

- The mean annual income per family is less than $7,000 per year.
- 43% of the adults have incomes under $5,000 per year.
- 62% have NO FORM OF HEALTH COVERAGE.
- 36% report not having enough money per month for FOOD or HEAT.
- 90% felt that SIHB meets the health needs of Seattle-King County Indians.

The drastic underfunding of Urban Health across the country must be addressed. SIHB supports FY 89 appropriations of $14.5 million. SIHB opposes a straight per capita reallocation of base Title V funds to urban programs. Any reallocations must be based on performance, quality of existing services and appropriateness of existing programs. Given the fact that we are attempting to service 50% of the nation's Indians with less than 1% of the IHS budget, a straight per capita reallocation would only create equitable mediocrity and across the board underservice. SIHB requests that Congress not sacrifice the larger, more functional clinics in a reallocation formula, but build equity through increased appropriations.

A. With regard to the $14.5 million proposed for Urban Health, SIHB supports the following:

1. AIDS Funding for High Risk Urban Populations:

Urban populations are at high risk for AIDS. Recent research indicates that inner city minority youth are the new "at risk" group likely to experience a dramatic increase in HIV positives. In the Northwest Portland Area of the Indian Health Service, it has been reported that the majority of the AIDS diagnosed patients came from the urban area, primarily from Seattle. The Northwest AIDS Foundation of Seattle keeps statistics on Seattle AIDS patients. They reported that as of January 1988, there were 11 American Indians identified as AIDS patients. Many of these individuals eventually will return to the reservation. The critical opportunity for effective AIDS Prevention/ Education/and Intervention is in the urban areas.

Indian people suffering from alcoholism and drug addiction are often also intravenous drug users or experience intimate relationships with intravenous drug users in the inner-city. The Seattle-King County Health Department has found that 75% of the intravenous drug users in our city streets admit to sharing needles. Many of the teenage prenatal patients at SIHB have disclosed their fears that their boyfriends were intravenous drug users.

The Indian Health Service must act quickly to counter the advance of AIDS in the Indian population, and it must include the Urban Indians if it is to be successful. The SIHB Patient Needs Survey found that 72% of the Seattle Indians have family or friends living on the reservation, and 47% go home to their reservation at lease once a year.

Adequate resources must be provided for screening activities for high risk populations in the Indian community. An aggressive education and prevention effort is needed, particularly in urban communities. Finally, culturally sensitive mental health counseling will be an ongoing need for patients and families of patients diagnosed with AIDS.

2. Need for Mental Health Funding:

The mental health funding for Indian Health Service nationally is far below the need and apparently out of proportion to the realm of health indices of the population.

The high mortality of Indian people suggests the tremendous "losses" individual Indians must deal with. The history of forced acculturation, relocation, religious suppression, racism, alcoholism, suicide and violence, to name only a few, contribute to the instability of mental wellness which is already undermined by the stresses of low socio-economic pressures. In Seattle we have found that Indians respond to a mental health program which employs Indian mental health professionals and incorporates a sensitivity to Indian culture. County statistics when adjusted for income, show that Indian populations are underserved, least likely to utilize the inpatient system and most likely to be left out. SIHB has experienced a loss in funding from the State and County for "mental health," because of the trend to fund only services for the "deinstitutionalized chronically mentally ill."

3. Prenatal and Obstetrical Services:

The Seattle Indian Health Board delivers approximately 80% of all the Indian babies born in the City. SIHB receives no special funding to support the prenatal program. Because Indian women for the most part utilize the "Indian clinic" almost exclusively, referrals to high risk programs for high risk patients are not followed by the patient.

Poor health in pregnant women and inadequate nutrition during the early years of life can severely impact the mental and physical development of children. The Office of Parent-Child Health, Division of Health in Washington State compiled a report on Native American Obstetrical Care. The report found that:

- Native Americans receive prenatal care later and have proportionately more low birth weight babies and higher infant mortality than the total population.

- Low birth weight has been identified as the single greatest health hazard for infants.

- Washington State reported a 7% low birth weight rate for American Indians and Alaska Natives. The rate in the white population was 4.6%.

Among babies delivered to SIHB patients during 1987, there was a low birth weight rate of 2% (of 122 live births).

4. Expansion of Services:

Dental services have been cut back and the SIHB Optometry program totally eliminated due to increased costs and fewer resources. The dental chairs utilized by SIHB are in desperate need of repair or replacement. Malpractice insurance for SIHB continues to grow beyond the financial resources of this agency. Due to recent changes in State law surrounding medicaid reimbursement and local hospital responses, our physicians must now assume responsibility as the attending physician for all our hospitalized patients. Assistance to existing urban programs to keep pace with the needs in their communities is needed.

5. New Starts:

SIHB supports funding for the Indian Health Service to identify and fund urban Indian communities which warrant but as yet do not have available health care services.

B. With regard to Alcoholism and Drug Treatment, the SIHB requests that the Congress continue to support the activities of the THUNDERBIRD TREATMENT CENTER. The increase provided in FY 88 was targeted into daily operations as provided in the language of the law, and it is hoped that this support will continue as a part of our historical base of funding.

C. Finally, the Seattle Indian Health Board wishes to inform Congress that the national demonstration project funded by the DHHS Office on Minority Health to SIHB is finishing its final year. The project was aimed at "Breaking the Cycle of Alcoholism" through a model for ADULT CHILDREN OF ALCOHOLICS. The response from Indian communities has been overwhelming. Addressing the needs of "Children of Alcoholics" is just as critical as treating the alcoholic, in order to break the intergenerational cycle of the disease. SIHB requests that the Indian Health Service incorporate a training curriculum in its PL99-570 resources to elevate the knowledge level and treatment for Indian people suffering from the ACOA syndrome.

Thank you for this opportunity to provide testimony

JAK:hsb
2/26/88

PREPARED
STATEMENT OF JUDY M. KNIGHT, CHAIRMAN OF THE COUNCIL OF ENERGY RESOURCE TRIBES, BEFORE THE SENATE SELECT COMMITTEE ON INDIAN AFFAIRS, REGARDING THE FISCAL YEAR 1989 BUDGET REQUEST OF THE BUREAU OF INDIAN AFFAIRS AND OTHER BUDGET ISSUES, FEBRUARY 25, 1988, WASHINGTON, D.C.

On behalf of the 43 federally recognized Indian tribes that comprise the Council of Energy Resource Tribes, I am very pleased to respond to this Committee's request, and that of its Chairman, Senator Inouye to share our thoughts regarding the President's budget request for Fiscal Year 1989.

OVERVIEW OF BIA BUDGET REQUEST

We believe that, on balance, the Bureau's FY 1989 Budget Request reflects a responsible effort, within the Department's budget targets, to secure the resources necessary to carry out the Bureau's mission. As we will point out in more detail below, we are less confident, however, that the proposed allocation of these resources is equally suited to that purpose.

We note with approval that the Bureau has elected with this budget request to share with the Congress its own view of the agency's mission:

> "The Bureau's mission is to: (1) recognize and preserve the inherent rights of tribal self-government; (2) strengthen tribal capacity for self-government; (3) provide resources for tribal government programs; (4) protect the rights of Indian people in dealing with other governmental entities and the private sector; and (5) fulfill and execute the Federal Government's responsibility for trust resources and property." BIA-2.

The Council of Energy Resource Tribes does not take issue with this statement of the Bureau's mission, or even with the priority indicated for the elements of this mission.

In attempting to relate this statement of the Bureau's mission to the FY 1989 budget request for the agency, we note that the total appropriation requested of $1,026,207,000 represents a reduction of approximately 4% from the actual, total appropriation of $1,071,406,000 in Fiscal Year 1988. We also note that the appropriation requested for the Operation of Indian Programs (the Bureau budget minus construction, credit, and certain miscellaneous appropriations) of $938,416,000 represents a proportionate decrease of 3% from the 1988 appropriation of $970,756,000. In this period of fiscal restraint and efforts at deficit reduction, these proposed, recommended decreases from 1988 levels seem, at first blush, to be both reasonable and proportionate.

As we shall point out, however, the agency has once again taken leave of this apparent sense of proportionality when it comes to that portion of the budget the agency spends on itself.

Thus, we see that, when the smoke and mirrors have been cleared away, the budget for the Operation of Indian Programs has been subjected to an over-all decrease of 3% to 4%, except for the Activity of Natural Resources Development, which has been subjected to a decrease of some 10%, and except for the remaining, major Activity within OIP, to which we advert shortly.

If it were merely a matter of having to make difficult budget decisions, the Council of Energy Resource Tribes would not be inclined to take serious issue with a decision not to penalize those programs that actually deliver services to the needy, the deserving, and the promising Indian people whom the Bureau exists in order to serve. That does not appear to have been the case, however, because the remaining major component of the budget for Operation of Indian Programs is that which the Bureau spends on itself, and here in the Activity of General Administration, we find that the Bureau has proposed to vote itself an 8% raise.

Looked at another way, those portions of the Bureau's proposed budget for FY 1989 which provide education; services to tribal governments; general assistance to the needy and to children; economic development opportunities; the development of natural resources; and protection of Indian rights and the trust estate, have taken a combined reduction of $39,838,000. At the same time, that portion of the agency's budget which the agency spends on itself is proposed to be increased by $7,498,000.

The member tribes of the Council of Energy Resource Tribes have long resisted this irrestible urge on the part of the Bureau to arrogate more and more of the agency's appropriations unto itself, while preaching austerity, fiscal restraint, and deficit reduction to the tribes who give this agency its very reason to be.

We are willing to accept responsible efforts to reduce our national deficit. We, too, live in this country and know first-hand, far better than any high-salaried appointee or career civil servant, the costs of unemployment, the exploitation of our resources, and the colonization of our communities. As a result, we cannot but resent this agency's continuing efforts at institutional profiteering at the expense of our communities and our citizens.

OIP PROGRAMS

Education:

The summary spreadsheet for education programs on p.BIA-24 appears at first glance to represent an increase of 11% for education programs, from $238,434,000 appropriated in FY 1988 to $264,644,000 requested for FY 1989, or an increase of $26,210,000. This apparent increase is, indeed more apparent than real, however, because $32,882,000 has merely been administratively transferred into the education program from the Indian Services activity (See, BIA-26,55). If the FY 1989 budget request for education is reviewed without regard to the inflation caused by administratively transferring three additional programs to it, then the real budget request for education in FY 1989 is seen as a request for $231,764,000, or an actual reduction of 3% from the $238,434,000 appropriated in FY 1988.

Tribal Services:

Similarly, the apparent reduction of $44,601,000 in Indian Services is misleading because $32,880,000 of that has merely been transferred to education. Thus, when these funds are disregarded, the proposed decrease in the '89 budget for this activity is only $4,800,000, or a decrease of 4% from the 1988 apropriation of $120,776,000.

Economic Development:

The appropriation requested for this Activity, likewise, shows a 3% decrease, from $39,543,000 in FY 1988 to $38,238,000 in FY 1989. Here it is important to note that the Bureau has unilaterally shifted some 18% of the total funds available for economic development from a program which indisputably advances that purpose to a program which is being commensurately increased in order to "Protect the government investment" (BIA-108). We refer, here, of course, to the Bureau's unilateral decision to eliminate the business grant program, and to transfer nearly the entire $7 million in that program into road maintenance instead.

Natural Resources Development:

This program reflects on its face a proposed decrease of 18% from FY 1988 levels. This apparent decrease is somewhat misleading, however, because out of the proposed $26,040,000 reduction in this Activity, $7.5 million of those funds have simply been administratively transferred to the Trust Responsibilities Activity. In addition, another $6 million which was ultimately appropriated to this activity in FY 1988 represents monies which were transferred into this account to combat wildfires in a particularly disastrous year for forest fires throughout the country. If these two items representing $13.8 million are disregarded, then we see that the actual reduction in this Activity is $12,240,000, or a reduction of 10%.

Thus, we see in the Activity of Natural Resources Development a proposed decrease in Fiscal Year 1989 that is out of all proportion to the decreases proposed in other OIP Activities.

Trust Responsibilities

The Activity of Trust Responsibilities shows an apparent increase that, like the others noted above, is more apparent than real. In fact, the disparity between appearance and reality for this program is even more striking because what is an apparent increase for this Activity is, in reality, a proposed reduction. The apparent increase of $6,302,000 for this Activity includes the $7.5 million which have merely been administratively transferred into this Activity from the Water Management and Development Subactivity of Natural Resources Development. Thus, if these funds, which were already in the budget, are disregarded, then the apparent $6.3 million increase becomes an actual $1.2 million decrease in the Trust Responsibilities Activity, or a decrease of 3%.

General Administration:

The Bureau has requested an increase in this activity of $7,498,000, raising the amount to be spent on the General Administration of the agency from $92,035,000 in FY 1988 to $99,533,000 in FY 1989. Payroll compensation packages and ADP expenditures, once again, combine to make up virtually all the increases in this Activity, while such activities as safety management are decreased and the already inadequate budget for employee training continues to lose ground to inflation by being held at the $840,000 level.

SPECIFIC RECOMMENDATIONS OF CERT RE BIA FY89 BDUGET REQUEST

Tribally Controlled Community Colleges:

Over half the Title I Tribally Controlled Community Colleges in the country are controlled by member tribes of the Council of Energy Resource Tribes, and represent enourmous investments by these tribes in their own communities and their own people. We take issue with the Bureau's unilateral decision not to continue the funding for these efforts which the Congress directed in FY 1988 (See, BIA-54). We recommend that the $715,000 which the Bureau has proposed to delete from this important, tribally controlled activity be restored.

Special Higher Education Scholarships:

We also take issue with the Bureau's unilateral decision to fund only those students who are studying in "priority fields." The Bureau has enough control over the lives of Indian people today without being allowed to use the power of the purse to decide for them their choice of careers. We further note that this proposal is fundamentally at odds with this Administration's purported objective of getting the government out of the marketplace and out of the lives of citizens, and returning governmental decision-making to those governments that are closest to the people served. In our view, this governmental intrusion into the marketplace of ideas is the most insidious intrusion of all.

Welfare Assistance Grants:

We think it is highly inappropriate for the Bureau to present a budget that relies on a historically unprecedented occurrence in order for the needs of indigent Indians in the State of Arizona to be met. We urge the Committee to restore the $4.4 million which the Bureau has proposed to eliminate, while "betting on the come," that the Arizona Health Care Cost Containment System will, for the first time in that state's history, meet these needs.

Self-Determination Grants:

The Bureau's proposed elimination of this $3 million activity does not reflect tribal priorities, as suggested at BIA-94, so much as it reflects the agency's continuing efforts unilaterally to do away with this program, which provides tribes with the most flexible funds available from the Bureau to design their own programs, or to redesign Bureau programs administered for them. We suggest that the Bureau should not be permitted unilaterally to eliminate this program completely.

Trust Responsibilities (Environmental Quality):

Here (BIA-161-163), it is quite clear that the principal objectives sought by the BIA to be served are not those of environmental quality so much as they are paying salaries and conducting studies. The narrative accompanying this portion of the budget request outlines the objectives of this program as they are understood by the Bureau, and they have to do almost entirely with the agency's own administrative requirements, and almost nothing to do with improving or even maintaining the level of environmental quality for Indian lands.

The Council of Energy Resource Tribes suggests that the Committee ask the Bureau for a detailed statement of its understanding of the agency's role in the area of environmental protection, taking into consideration recent amendments to the Safe Drinking Water Act, the Clean Water Act, and the Superfund Amendments and Reauthorization Act of 1986.

Economic Development (Business Development Grants):

It seems clear to us that the Bureau has chosen to eliminate this entire $7 million in order to free up funds that the agency itself feels would be better spent on road maintenance in Indian country. The CERT tribes certainly do not object to any initiative on the part of the Bureau, however tardy and inadequate, to undertake a serious effort at maintenance of reservation roads. We do feel, however, that the Bureau makes a mockery of the process of consultation when, as here, these decisions are made unilaterally at the expense of those very programs which have, in fact, provided for flexibility, tribal control, and rewards for tribal investments in their own communities. Several of the CERT tribes have benefitted greatly from this recent program, and if it is to be discontinued it should be on the record of its shortcomings, if any, and certainly not because the Bureau simply needs the money elsewhere.

Natural Resources Development (Minerals and Mining)

If, in fact, the Bureau budget for FY 1989 is to be reduced on the order of magnitude suggested by the agency's budget request, then the Council of Energy Resource Tribes cannot take serious issue with the reduction proposed for this important program, although the $1,059,000 reduction in this program represents a reduction of more than 13%, considerably more than the reduction for the agency as a whole, or for most other programs.

If, in fact, the choice is between reducing funds even more for such essential services as general assistance, law enforcement, education, etc., then we are inclined to accept the larger reduction in this program as appropriate.

We would like to point out, however, that this Committee and the Congress have, in recent years, directed the Bureau to contract a portion of this activity to the tribal organization which has been formed by 43 tribes who have substantial energy production or potential. For the reasons which are set out more fully below, we are requesting once again that this Committee recommend to the Appropriations Committee that the Bureau be directed in unequivocal terms to continue contracting with the Council of Energy Resource Tribes via the inter-agency contract that is administered by the U.S. Department of Energy.

ACCOMPLISHMENTS OF THE COUNCIL OF ENERGY RESOURCE TRIBES

The amount which the Bureau has contracted with CERT since FY 1986 has been reduced to $250,000, less than one-sixteenth of the total operating budget of CERT. It should be noted as well that the organization's operating budget does not reflect the contributions made to the organization by the member tribes themselves in the form of executive direction, staff time and expenses, and travel. Nevertheless, we feel that the successes which our tribal organization have achieved in the past year are significant beyond comparison with the modest amount which the BIA contributes to our operation. A few examples should suffice to make this point.

In the past year, we have successfully negotiated with the Department of Interior reversals of the Department's ill-conceived proposals regarding the following:

- Conclusive presumptions regarding valuation of oil production for royalty calculation purposes;
- Conclusive presumptions regarding valuation of gas production for royalty calculation purposes;
- Retroactive modification of regulations regarding accounting for natural gas produced during period 1982-1986;
- Proposals to access $34 million in tribal AML funds for use in other regions of the country.

In addition, with the assistance of the staff at our CERT organization, CERT member tribes have:

- Negotiated a maor wildcat oil and gas play by a major oil company on Indian land;
- Chartered, capitalized, and opened for business a commercial bank providing services to Indians and non-Indians;

- Concluded negotiations for a $48 million reclamation program for an abandoned uranium mine.

We believe that the record of our CERT organization in these and related activities speaks for itself, and we urge this Committee to direct the Bureau to continue to contract with our organization in order that our important work in these areas not be interrupted.

INDIAN HEALTH SERVICE ISSUES

We note that the President's budget request for the Indian Health Service in Fiscal Year 1989 actually provides for an increase of nearly 4% over FY 1988 appropriations, if construction funds are not considered. We applaud the Administration's decision not to reduce sharply funds for this agency's health care and life-saving activities, but point out that the apparent increase in this budget request is largely ephemeral since even the increase is insufficient to maintain pace with the rate of inflation in the economy generally, and in the cost of health care delivery particularly.

We are particularly distressed at some of the specific proposals of the Indian Health Service for FY 1989, however. We fail to understand either the reasoning or the legal basis for the IHS plan to utilize nearly $3 million Medicare/Medicaid reimbursements to make up shortfalls in contract health care costs. We suggest that this kind of administrative, budgetary ledgerdemain in an area as vital as health care for American Indians and Alaska Natives is ill advised at best, and reflects a callous and cavalier attitude that has no place in an agency with a mission as sensitive as this.

We also note that the IHS, too, seems to have an institutional bias against factoring into its year-to-year budget planning the very real administrative costs associated with P.L. 93-638 contracts to administer IHS programs at the tribal or organizational level. We urge the Committee to ensure that appropriate funds are directed to be made available to 638 contractors.

ENVIRONMENTAL PROTECTION AGENCY

The Congress has recently enacted significant Indian amendments to major environmental legislation, such as the Safe Drinking Water Act, the Clean Water Act, and the "Superfund" Act. These amendments clearly contemplate a tribal role in administering environmental regulatory programs, setting environmental standards, and enforcing compliance. In addition, these amendments also require EPA to conduct inventories and surveys of environmental conditions in these areas on Indian land.

It is clear that EPA does not intend to conduct the surveys which the Congress has directed, but has opted, instead, to extrapolate from existing data conclusions that significant expenditures are not required in order to bring Indian lands up to the same environmental standards that the surrounding states have long enjoyed. Nor has the agency adopted satisfactory schemes to allocate its existing budget resources in a way that will permit tribes to take full advantage of the protection of laws the Congress has recently passed for their benefit. The Council of Energy Resource Tribes respectfully requests this Committee to recommend that the Appropriations Committee direct the EPA to ensure that sufficient funds are made available in each of these programs to implement the recent "Indian amendments" to these statutes.

DEPARTMENT OF ENERGY

For several years, the Department of Energy has administered an inter-agency contract with the Council of Energy Resource Tribes, through which not only DOE, but also EPA, BIA and ANA contract for the provision of important federal services to Indian tribes throughout the country. This inter-agency contract has made possible at the reservation level a coordination of these federal activities that the federal government itself has not been able to achieve. In FY 1988, DOE proposed to discontinue this contract on the basis that Indian tribes have achieved self-sufficiency. The Congress, however, refused to accept this blatantly self-serving declaration and directed DOE to continue this contract. Again in FY 1989, DOE has not proposed to continue this contract, and again the Council of Energy Resource Tribes is requesting this Committee to recommend that the Department be directed to continue to contribute to, and to administer this important contract.

ADMINISTRATION FOR NATIVE AMERICANS

The member tribes of the Council of Energy Resource Tribes are delighted at the reauthorization of this important agency, and express our deepest appreciation for the leadership provided by this Committee and its Chairman in making that happen. Over the years, the leadership, the innovation, the flexibility, and the responsiveness to tribal initiatives that this agency has demonstrated have yielded beneficial results out of all proportion to its size. We want to take this opportunity to thank this Committee for saving this agency, and urge that the Committee continue to ensure that this agency's budget is not disproportionately reduced in the name of deficit reduction.

CONCLUSION

We believe that our comments represent a tribal view of the President's budget request that is a reasonable and balanced one, and one that does not suggest massive increases in the FY 1989 budget. While, like every affected sector of our national economy and population, we would like to see more resources directed toward issues that are of direct concern to use, we realize that we are in this process together with 240 million other Americans. More importantly, unlike any other sector of our population, there is no aspect of the President's budget that does not affect us directly. We realize, therefore, that we, too, must make important choices in allocating insufficient resources to address the challenges, and to seize the opportunities, confronting us.

Accordingly, we believe that our suggestions reflect our determination to take a balanced view that will allow us to deal with the important social, educational, and health care needs of our people, and at the same time permit an orderly program of investing in future prosperity while ensuring that our organs of tribal government are provided with the necessary resources to provide within our boundaries that system of ordered liberties which makes economic growth possible.

We look forward to continuing to work with this Committee and its leadership in assisting the nation's Indian tribes in the important and, in a democracy, never-ending business of government.

Thank you.

PREPARED STATEMENT OF JUDY M. KNIGHT, VICE CHAIRMAN, UTE MOUNTAIN UTE TRIBE

DOLORES PROJECT PLANNING

I am Judy Knight, Vice Chairman of the Ute Mountain Ute Tribe located in southwest Colorado. I am presenting this testimony before the Select Committee on Indian Affairs and specifically the Oversight Hearing on the FY 1989 Budget for Indian Programs.

On behalf of the Ute Mountain Tribe, I would like to request a line item appropriation of $370,000 for fiscal year 1989 plus restoration of $180,000, of the $250,000, needed in FY 1988, for a total of $550,000 for design of on-farm facilities. These facilities are necessary to utilize irrigation water that the Ute Mountain Ute Tribe will receive from the Dolores Project to irrigate about 7500 acres of land on the reservation. The water is scheduled for initial delivery in the spring of 1993.

The water from the Dolores Project is an integral and major component of the Colorado Ute Indian Water Rights Settlement. The Dolores Project irrigation water will increase the agricultural acreage on the reservation from the present 200 acres; which is the maximum that the present water supply will allow.

The Tribe has been working with the Bureau of Indian Affairs (BIA) and the Bureau of Reclamation to coordinate and plan for the delivery of the water in 1993. The Bureau of Reclamation is responsible for designing and constructing the facilities to deliver water to the lands. The BIA and the Tribe are responsible for design and construction of facilities to apply the water to the land, which primarily includes the sprinkler systems and the roads, power lines, and land leveling necessary to support the sprinklers. A three party Memorandum of Understanding to conduct joint planning and consultation between the Bureaus of Reclamation and Indian Affairs, and the Tribe has been fully executed and is attached. The major objective to be accomplished by the Memorandum of Understanding is the efficient and coordinated planning of the total farm development project. The Ute Mountain Ute Tribal Council has established the Tribal Water Resouces Task Force which has studied other indian irrigation projects in the southwestern United States in order to determine the optimal conditions necessary to ensure a successful farm and ranch enterprise. The Navajo Indian Irrigation Project, Ak Chin, Colorado River Indian Tribes, and other were visited and analyzed by the Task Force. One of the most shocking and disturbing findings of the analysis was that too many times the bureaucratic inefficiencies between the Tribal farming enterprises and the Bureau of Reclamation, and Bureau of Indian Affairs, does not allow the indian enterprise farmer to make the necessary decisions in a cost effective time frame thus adding substantially to the cost of doing business. Farmers like other businessmen need to be able to make decisions in a decisive, expeditious manner to maximize opportunities for profit. Based upon these findings the Tribe initiated negotiations with the two federal bureaus to develop a memorandum of understanding to streamline and make more efficient the planning and decision making processes between the entities related to the Dolores Project.

The FY 1989 appropriation would be used to begin designs on the facilities for the 5000 acres in the first block of land and for collection of basic topographic and archeological data on the 2500 acres contained in the second block of land. A budget has been prepared by the Tribe and BIA to develop the on-farm facilities, which is the basis for the $370,000 being requested in FY 1989. The budget is attached to this testimony.

The funding for the Reclamation facilities has been requested through the Senate Subcommittee on Water and Energy, and has been fully supported by the Ute Mountain Ute Tribe. The funding for the on-farm facilities is also crucial to the development of the irrigated lands and funding is needed concurrently with the Reclamation facilities in order to utilize the water in 1993.

As of the date of this testimony, BIA has only been able to provide about $27,000 in funding to the Tribe, even though ten times that amount was needed for detailed planning during the last ten years. The Tribe requested over $250,000 for the work that is necessary in FY 1988 but will receive less than half that amount. The BIA budgeting process has not provided adequate funding to the Tribe for planning of the on-farm facilities and will not be able to provide the much larger funding necessary for the final designs and construction that will be needed during the next 5 years. For this reason the Tribe is requesting a line item appropriation of $550,000 in FY 1989 for the design and construction of the on-farm facilities to utilize Dolores Project irrigation water.

COUNCIL OF ENERGY RESOURCE TRIBES

I would also like to submit testimony in support of the $250,000 appropriations request for the Council of Energy Resource Tribes. The CERT organization is made up of forty-three member indian tribes throughout the nation. I strongly believe that the CERT organization has done more for reservation economic development and tribal self-sufficiency than any other organization. The quality of technical assistance which CERT provides is unparalelled in indian country as well as in the non-indian community. The Ute Mountain Ute Tribe is a member tribe of the CERT organization. Over the past ten years the quality of services provided by this organization has assisted and promoted more appropriate economic development on reservations across the country than any other single organization. The development of tribal natural resources in ways that benefit the long term interests of the Tribes has been accomplished time and time again thru the provision of the excellant technical services provided by the CERT staff. The forty-three member CERT Tribes believe that the continuation of the CERT orgainzation is intergral to the continued progress toward tribal self-sufficiency and self-determination which many Tribes have been able to acheive over the past decade.

More specifically, the Ute Mountain Ute Tribe would request that the Committee consider establishing a line item appropriation in the Fiscal Year 1988 Bureau of Indian Affairs budget for the BIA's budget commitment to the CERT organization. In recent years the BIA has not funded the CERT organization at the levels at which they have provided budget justification to the Congress for. In order to resolve this problem the Ute Mountain Ute Tribe requests that a separate line item appropriation be made by the Congress in order to allow the CERT organization and its forty-three member tribes to get on with the critical business of reservation economic development.

INDIAN SELF-DETERMINATION ACT AMENDMENTS. S. 1703

The Ute Mountain Ute Tribe supports the much-needed amendments to the Indian Self Determination Act, 93-638, as reported out in S.1703. However, the Tribe has taken a position in opposition to passage of a new Section 301 which has not been the subject of adequate hearings or consultation with Indian Tribes. We recommend that the Senate strike Section 301, pass the remainder of S.1703 without delay, and hold hearings at a later date on Section 301 to insure that all appropriate safeguards for Tribes are included, particularly with regard to the federal trust responsibility. A copy of the Ute Mountain Ute Tribal Resolution opposing the inclusion of Section 301 is included and attached to this testimony.

In closing, I would like to express my appreciation to the members of the Committee for considering the Ute Mountain Ute Tribes views on these three critical areas of 1)tribal agricultural development on the Dolores Project, 2) a line item appropriation for the Council of Energy Resource Tribes, and tribal support with the exception of Section 301, of the Indian Self-Determination Contract Amendments. Your support would be greatly appreciated. Should you have questions or need additional information please contact myself or the tribal Planning Director at 303-565-6485.

Respectfully Submitted,

Judy M. Knight

Judy M. Knight, Vice Chair

UTE MOUNTAIN UTE TRIBE
DOLORES PROJECT BUDGET REQUIREMENTS

Fiscal Year	Item	1987 Level Costs			Total Fiscal Budget Needs in 1987 Dollars
		Designs & Coordination	Construction Management	Construction Cost	
1988	Field sprinkler layouts for 5000 acres	$235,000	$0	$0	$235,000
	Identify and certify additional 2500 acres	$15,000	$0	$0	$15,000
		$250,000	$0	$0	$250,000
1989	Begin Facility Designs for 5000 acres	$150,000	$0	$0	$150,000
	Obtain topography on 2500 acres	$60,000	$0	$0	$60,000
	Archeological survery for 2500 acres	$25,000	$0	$0	$25,000
	Field sprinkler layouts for 2500 acres	$135,000	$0	$0	$135,000
		$370,000	$0	$0	$370,000
1990	Complete Facility Designs for 5000 acres	$350,000	$0	$0	$350,000
	Begin Facility Designs for 2500 acres	$100,000	$0	$0	$100,000
	Aneth Road (21 miles, gravel)	$400,000	$0	$0	$400,000
	Primary Electrical Service	$300,000	$0	$0	$300,000
	Construction/Farm Buildings	$100,000	$0	$0	$100,000
		$1,250,000	$0	$0	$1,250,000

UTE MOUNTAIN UTE TRIBE

DOLORES PROJECT

DESCRIPTION OF ON-FARM DEVELOPMENT REQUIREMENTS

INTRODUCTION

The Dolores Project is a Bureau of Reclamation multiple purpose water project located in southwest Colorado. The Ute Mountain Tribe will receive 23,000 acre-feet of water to irrigate about 7500 acres of land and 1000 acre-feet of water for municipal usage. The Project has been under construction since 1977 and is presently about 65% completed. The major facility to be contructed is the canal to deliver water to the reservation, which is scheduled to be completed in early 1993 so that water will be available in 1993.

Presently, the Tribe has about 200 acres of irrigated agriculture on the reservation, which is the extent of the available water supply. The Dolores Project will serve 7500 acres, so the Tribe is essentially getting into the agriculture business without any experience. With the lack of experience in mind, the Ute Mountain Tribe has been formulating specific plans to utilize the water from the project since 1981. From 1981 to 1983, the Tribe evaluated the general personnel and administrative needs to successfully develop the project.

The first step was to plan, design, and construct a small demonstration irrigation project near Towaoc. The demo project consists of a small center pivot sprinkler and three siderolls which irrigate 130 acres with water shares from a private irrigation company. The purpose of the demo project was to test sprinkler technology, evaluate potential crops, develop technical expertise in irrigation development, and to make a profit.

The second major step was to create a Tribally owned company, the Farm and Ranch Enterpise, to operate the project once it is completed. A manager experienced in development and operation of sprinkler irrigation was hired to run the enterprise. The enterprise is presently operating the demo project, is deeply involved in the irrigation planning, and is training Tribal members in sprinkler farming.

The third major step was to negotiate a settlement of Winters Doctrine water rights with the Tribe's non-Indian neighbors. The settlement gives the Tribe the definitive rights to the water from the Dolores Project, the Animas-LaPlata Project, and smaller rights in other streams. In addition, the settlement provides resources for the Tribe to utilize the water, for example, the State of Colorado is constructing a pipeline to deliver municipal water to the reservation which the Tribe could not have otherwise afforded.

From 1984 to 1987, the Tribe has worked with the Bureau of Reclamation and the Bureau of Indian Affairs to plan and schedule the project facilities. Reclamation is responsible for the canal to deliver water to the reservation and the pipe laterals to distribute water to the fields within the irrigated area. The funding for those facilities comes through the Bureau of Reclamation budgeting process. The Tribe and BIA are responsible for the on-farm facilities to apply the water to the land and provide access to the land. A more detailed description of the facilities is given in the next section.

The planning for the on-farm facilities was essentially completed in 1987 so that final designs could begin in 1988. The funding for the Reclamation facilities has been forthcoming and construction on the canal will begin in 1989.

The Tribe and BIA jointly developed an estimate of the schedule and budget needs by fiscal year beginning in 1988 and extending through 1995 when the project is scheduled to be fully developed. Funding in fiscal years 1988, 1989, and 1990 is needed to prepare final designs so that construction can begin in 1991; the respective budget needs are $250,000, $370,000, and $1,250,000. Funding at those levels in each fiscal year is essential to developing the on-farm facilities in a timely manner; if one year slips the on-farm facilities will not be in place to utilize water in 1993 when water is available.

To date, the BIA has only been able to provide about $27,000 for planning costs, which was available in 1987. Prior to 1987, the Tribe was paying for the planning costs. The budget needs from 1988 and beyond are much greater than the financial capability of the Tribe and funding through BIA is essential.

The Tribe requested $250,000 from BIA for fiscal year 1988. BIA felt confident that the funds would be available until January of 1988 when the final BIA budget was determined. The result was that BIA would only have about $60,000 to $70,000, rather than $250,000. Approximately, $180,000 in additional funding is needed in 1988 in order to maintain the schedule; as of March, 1988, the additional funding probably cannot be found so the amount is added to the FY 1989 request.

BIA can clearly not provide the funding necessary to develop the on-farm facilities in a timely manner, through the regular budget process. For this reason, the Ute Mountain Ute Tribe is requesting a line item approporiation of $550,000 in FY 1989. These funds are not to continue planning nor gather data for a law suit, but to provide specific technical services that will allow the actual delivery and use of water. The Tribe will operate the agricultural lands as an enterprise, which means the primary objective will be profitability.

IRRIGATION ON-FARM FACILITIES

The land to be irrigated on the Ute Mountain Reservation is presently virgin land. The land receives only about 8 inches of rain per year and can cannot sustain dry land farming or grazing. The land can however, be very productive with irrigation. The land is relatively low elevation, 5000 to 5700 feet, is on a south facing slope, and there is adequate natural slope of the terrain so that no pumping is required to pressurize the sprinklers. The climate would allow vegetables to be grown as well as the more typical small grains, barley, and alfalfa. The Bureau of Reclamation has classified and certified the land.

Preliminary sprinkler layouts have been prepared on the land which will be used for the final designs. The preliminary layouts show that the area will be developed in two blocks. The first block will be initially irrigated in 1993 and will be 5000 acres in size. The second block, of 2500 acres, will be initially irrigated in 1994. Detailed field work for the 5000 acre block will begin in 1988 and in 1989 for the 2500 acre block.

The design process for each block will require about three years to collect the field data, determine the size and location of each sprinkler system, layout the facilities to provide access to the fields, and prepare the designs and specifications. The field data will include soils tests, drainage tests, fertility tests, and agronomic studies. In the first year, 1988 for the 5000 acre block, the sprinkler locations will be determined in the field and surveyed.

Once the sprinkler systems are located, designs will be prepared on facilities in 1989 and 1990 for the 5000 acre block. The facilities will include: (1) the sprinkler equipment and nozzles to apply the water, (2) the roads to provide access to each individual field, (3) the power lines to provide energy to operate the center pivot towers and for farm buildings, (4) the leveling and smoothing of the land to accommodate the sprinklers, (5) contouring of the land to allow surface drainage, (6) determination of the location and size of the necessary farm buildings, and (7) evaluation of need for automation of the sprinkler systems.

The construction of facilities will begin in 1991 and will involve the fields being leveled and contoured for drainage. The sprinklers, roads, power lines, and laterals (constructed by Reclamation) will be installed in 1992. The first year of farming for the 5000 acre block will be in 1993. Farm machinery will be purchased in late 1992 for the 5000 acre block. Product storage facilities will also be purchased and installed in late 1992.

The second, 2500 acre block, will follow the same procedure as outlined above for the 5000 acre block, but will be one year behind.

The Aneth Road is presently the only means of access to the irrigated lands. The road is narrow with many sharp curves which makes the road inadequate for the amount of traffic that will occur with the irrigation development. The cost for improving the road is included as a Dolores Project cost because it will be improved primarily for the irrigated area. The designs for the road improvements will be performed in 1990. Construction will take place in 1991 to provide access in 1992.

Primary electrical service will be needed to the irrigated area. Presently, service ends at Towaoc, which is about 10 miles from the irrigated area. Empire Electric Association, who serves the reservation, has made estimates of the load needs and costs to provide service. Empire will provide all of the designs and construction services. Designs will be prepared in 1990 so that service will be available in late 1991 to serve the buildings and to test the sprinklers.

RECEIVED OCT 8 1987

United States Department of the Interior
BUREAU OF RECLAMATION
UPPER COLORADO REGION
DURANGO PROJECTS OFFICE
P.O. BOX 640
DURANGO, COLORADO 81301

IN REPLY
REFER TO: 400
160.

SEP 30 1987

Mr. Ernest House, Tribal Chairman
Ute Mountain Ute Indian Tribe
Towaoc, Colorado 81334

Attention: Mr. Mike Preston

Dear Mr. House:

Attached for your review and approval are three originals of the final Memorandum of Understanding for Dolores Project coordination among the Ute Mountain Ute Indian Tribe, the Bureau of Indian Affairs, and the Bureau of Reclamation. We have incorporated the comments of all the signatory entities into the document and have attached a draft copy which shows where those changes were made. As agreed at our meeting on September 11, 1987, you should forward all three signed originals back to this office for execution by our Regional Director, and we will then forward them to the Bureau of Indian Affairs. Signed original documents will then be sent to each signatory entity.

Sincerely yours,

Rick L. Gold

Rick L. Gold
Projects Manager

Attachments

cc: Regional Director, Salt Lake City, Utah
Attention: UC-400

Project Construction Engineer, Cortez, Colorado
Attention: C-100

RECEIVED OCT 06 1987

DOLORES PROJECT
MEMORANDUM OF UNDERSTANDING
Among the
UTE MOUNTAIN UTE INDIAN TRIBE
and the
UNITED STATES BUREAU OF INDIAN AFFAIRS
and the
UNITED STATES BUREAU OF RECLAMATION

This MEMORANDUM OF UNDERSTANDING is entered into on _________, 19___, between the Ute Mountain Ute Tribe (Tribe), represented by the Tribal Council Chairman; the United States Bureau of Indian Affairs (BIA), represented by the Area Director, Albuquerque Area Office; and the United States Bureau of Reclamation (BOR), represented by the Regional Director, Upper Colorado Regional Office.

WHEREAS, BOR is responsible for the design and construction of the Dolores Project which will provide, among other things, an average annual water supply of 22,900 acre-feet of full service irrigation water for Tribal lands; 1,000 acre-feet for municipal and industrial (M&I) use on Tribal lands; and 800 acre-feet for recreation and fish and wildlife development on Tribal lands; and

WHEREAS, Irrigation water will be delivered to the Tribe through the Towaoc Canal and Towaoc Laterals, features of the Dolores Project to be constructed by BOR; and

WHEREAS, the Tribe will be responsible for the operation and maintenance of the Towaoc Canal and Towaoc Laterals on Tribal lands and for the design, construction, operation, and maintenance of the on-farm irrigation facilities and development of the irrigated land; and

WHEREAS, BIA will provide funding and assist the Tribe in development of the irrigated land including cultural resource and NEPA compliance, classification of lands, and on-farm systems design; and

WHEREAS, it is the intent of this agreement to provide for the complete coordination and cooperation of each party in the planning, design, and construction of all Dolores Project related facilities on Tribal lands to ensure the construction of an efficient, well-designed irrigation water delivery system, and

WHEREAS, construction of facilities which will provide for delivery of water from the Dolores Project is a cornerstone to the Colorado Ute Indian Water Rights Final Settlement Agreement of December 10, 1986.

NOW THEREFORE, it is mutually agreed as follows:

1. All parties will cooperate with each other and other involved entities such as the Dolores Water Conservancy District and Montezuma Valley Irrigation Company, by providing information and assistance consistent with their respective responsibilities. BOR agrees to solicit input from the Tribe and BIA on the location and design of Project features on Tribal lands. The Tribe and BIA agree to provide their input in a manner and time frame as mutually agreed between all parties and consistent with a detailed progress schedule. BOR will provide final design approval. BIA will have approval authority of any design and construction performed with BIA funds.

2. All parties will coordinate their respective activities and responsibilities and agree to keep each other fully informed of the progress of the work and of any potential delays, conflicts or problems.

3. All parties will meet at least quarterly to discuss appropriate issues including updating a detailed progress schedule. The parties agree to rotate chairing the meetings which will include preparation of an agenda, conducting the meeting, and documenting the discussions.

4. Weeminuche Construction Authority, a Tribal entity, will be utilized in the construction of Project facilities on Tribal lands to the extent they can demonstrate to the BOR normal and reasonable qualifications for performing acceptable work on schedule, and offer a competitive price, as determined by BOR. SBA 8(a) minority set aside and/or P.L. 93-638 contracting procedures will be used at BOR's discretion.

5. The Tribe and BIA agree to provide, without cost, reasonable construction and permanent rights-of-way for Project facilities to be constructed by BOR. BOR agrees to file the proper right-of-way application with BIA. BIA agrees to obtain a Tribal resolution prior to conveying rights-of-way. BOR agrees to pay usual and typical amounts for crops and improvements damaged by construction.

6. The obligations of BIA, the Tribe, and BOR under this agreement is contingent on the necessary appropriations and reservations of funds being made therefore.

7. BOR will not initiate construction of Dolores Project facilities on Tribal lands or deliver Dolores Project Water to the Tribe prior to execution of a repayment contract between BOR and the Tribe unless otherwise provided for by law.

8. BIA will utilize P.L. 93-638 contracting procedures with the Tribe as much as is possible for work that the Tribe requests and can demonstrate the capability of doing.

9. The Tribe shall be included in any negotiations between BIA and BOR which involve facilities on the Ute Mountain Reservation. If such negotiations result in a contract or other signed document between BIA and BOR, the Tribe shall be signatory to the document. Design and construction of facilities for which the BOR is responsible will be performed in accordance with accepted BOR policies and practices.

10. The BOR will be responsible for the survey and mitigation of cultural resources on the canals and laterals which are constructed by the BOR on Ute Mountain Ute Indian Lands. The BIA will be responsible for the survey and mitigation of cultural resources for on-farm systems.

This agreement shall be effective from the day first above written, and may be amended, supplemented, or superseded at any time by an exchange of correspondence between the parties hereto, provided all parties are in agreement with the change. This agreement shall terminate at the time Dolores Project facilities are officially transferred to the Tribe for care, operation and maintenance.

Regional Director
Bureau of Reclamation
United States Department of the Interior

Albuquerque Area Director
Bureau of Indian Affairs
United States Department of the Interior

Tribal Council Chairman
Ute Mountain Ute Tribe

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS
TURTLE MOUNTAIN TRIBAL OFFICE
Community Center Building **Belcourt, North Dakota 58316**
(701) 477-6451

March 4, 1988

Bureau of Indian Affairs
THROUGH
U.S. Congressional Delegation
and appropriate Committees:

Having served the Turtle Mountain Band of Chippewa Indians for three elected terms as their Chairman and Chief spokesperson, I must say there is a great deal more to be desired in the administration of Indian Affairs during the current administration. There is no supply side economies in Indian Country and sure as heck there is very little heart or evidence to curing the ills other than dumping problems on the next administration after gutting the budget under the smoke screen of curing a trillion dollar deficit.

Turtle Mountain, along with most other tribes, has not experienced a trickle down effect, they are experiencing a flooding effect of non leadership to Congress in the unique status and needs the First Americans must endure. Some of those needs to Turtle Mountain are as follows:

1) Education: Education to our 25,000 members is our top priority, but yet scholarships to 350 of our young people (50 A students) are continually threatened by budget slashers. Where we projected replacement to a burned school at $11 million, the administration forced 8.4 upon us and by recent bid openings 10.4 or 2 million more is needed.

2) Law and Order: Without this important element, there is no society. But yet the administration builds a facility adequate for reservation needs and does not staff them, leaving the government open to civil rights lawsuits. No wonder the Tribes do not contract, they may not be the best managers but they're not stupid. - Our needs as evidenced by the National Institute of Corrections is 22 positions, we have 8, we also have within the present budget, a shortfall of $75,000. We are the lowest per capita allocated reservation ($47 versus $294) in the Aberdeen Area - $250,000 potentially will cure this problem on a continual allocation.

3) Judicial Services: Equal justice cannot possibly be attained without aid from the Federal Government in both support of money and effort. Our court system again is the lowest per capita ($11 versus $72) in our area - $100,000 annual supplement is ($22 per capita) necessary for a model court system.

4) Treaty: If the United States takes over 100 years to pay it's debts to the American Indians in the Turtle Mountains, what other country can rely on a committment. We need to get this mess cleaned up and we recommend a partial payment immediately with the Tribe's share to be set aside so some of the above needs can be shared by the Tribe.

5) Economic Development: Enterprise zones, trade zones and other words are only words if expedient guaranteed loans to tribes cannot be at least administered.

We thank you for your support and time, in at least reading the attached documentation. Any further questions, please contact my office.

Respectfully - Megwetch,

Richard J. LaFromboise, Esq.
Tribal Chairman

Enclosures

PREPARED STATEMENT OF THE NAVAJO NATION

Mr. Chairman, Members of the Committee, the Navajo Nation appreciates the opportunity to provide you with this statement on the Indian Health Service budget request for FY'89. We hope that this statement assists you in your deliberations during the appropriations process. The Navajo people also appreciate your Committee's role in ensuring that the Indian Health Service lives up to its trust responsibility in providing for the health needs of Indian people.

For those of you not familiar with the Navajo Nation, we would like to provide you with the demographics of our reservation. The Navajo Nation is the largest Indian tribe in the U.S. with a population rapidly approaching 200,000 -- nearly 20 percent of the reservation-based Native Americans in the U.S. are Navajos. Our people are young; 50 percent of Navajos are under 21, and our average age is 17.5. We are growing rapidly at 3 percent per year which is three times the national average.

Unfortunately, the living standards of Navajos are still dramatically below those of people living in the surrounding states. According to the 1980 Census, the per capita income of a Navajo was approximately $2,400. This is approximately 1/3 the levels of people living in Arizona, New Mexico and Utah. Our unemployment rate is between 30 percent and 40 percent, and is much higher in several areas throughout the reservation. These levels are approximately five times the levels of the surrounding states.

The Indian Health Service Budget

Congress appropriated $1,011,999 for IHS programs in FY'88. This aggregate amount includes $62.511 million appropriated by the Congress in FY 1988 which the IHS proposes to merge with the overall budget. Thus, fiscal year 1988 appropriations were closer to $943 million. The Indian Health Service proposes to spend approximately $987 million in FY'89. Thus, the IHS proposes budget growth of approximately 4 percent excluding facilities. This figure must be looked at in the overall context of health care delivery.

As you know, health care inflation has risen at approximately 10-12 percent over the past decade. Additionally, the Native American population is growing rapidly. Thus, the Indian Health Service budget is not growing rapidly enough to offset inflation associated with health care delivery and the increased number of Indians eligible for Indian Health Services. The Navajo Nation believes that Congress must add a minimum of $50 million in budget authority if current service levels are to be maintained. What follows is an analysis of important programs serving the Navajo people and all Native Americans.

Indian Health Facilities

It is obvious that modern health facilities are required if quality health care is to be delivered to Indian people. This is especially so on our reservation which spans three states and is the size of West Virginia. Often, Navajos have to travel hundreds of miles to a facility. Due to the underdeveloped nature of our infrastructure, traveling exhaustive distances can often make the difference between life and death.

Over the past several years, Congress has had the foresight to appropriate funds for new health facilities on the reservation. Funds were appropriated for the construction and staffing of the Crownpoint health facility. In the last 2 fiscal years, funds were appropriated for the planning and design of new hospitals in Shiprock and Ft. Defiance. This year we are seeking money to replace an existing health center in Tohatchi, New Mexico. We require $700,000 to plan and design this new facility. At the current time, Navajos living in Tohatchi must travel to Gallup Indian Medical Center to receive health care. An analysis has shown that the treatment often required at Gallup is not available at the facility and the influx of Navajos from other communities has created pressure on that facility. The Indian Health Service approved the Tribe's Planning Justification Document (PJD) for the Tohatchi Health Clinic in June of 1986. It is attached to this statement and we would request that it be entered into the record.

In spite of the obvious need for new and modern health facilities on the reservation, IHS has essentially attempted to get out of the business of constructing new health facilities. Last year, several rescissions were proposed, that if implemented, would have cancelled funding for the planning and design of Shiprock Indian Hospital and delayed several renovations of facilities that were literally crumbling. Thankfully, none of those rescissions were approved. IHS proposes to spend $2.45 million on one facility and a study in FY'89. We would urge this committee to ensure that IHS fund those projects which are on the Secretary's priority list. The Navajo Nation strongly opposes the IHS's position of not funding Indian health facilities and believes it is a violation of the federal government's trust responsibility to meet the health needs of Indian people. Without upgrading and adding new facilities the whole direct care system of IHS could collapse, since there will have to be more reliance placed on contract care, which is demonstrably more expensive to provide.

New Regulations

One other issue needs to be addressed concerning health facilities. IHS has changed the methods by which it calculates how many beds are required for a facility. Whereas a new methodology may have been required, we believe it is unfair to change the rules of the game on those who have had documents approved under previous rules. As you know, the IHS must approve a program justification document (PJD) before Congress will fund a facility, at the urging of an inspector general's report by rulemaking. The agency wanted the Shiprock Hospital planning committee to revise its PJD and Program of Review (POR) to receive the $3.175 million which Congress had appropriated in FY'87. Due to revisions in the PJD and the POR mandated by the new methodology the public health service has yet to release the $3.175 million that Congress appropriated two years ago to plan and design the facility. If not for Congressional intervention, this facility would have been further delayed.

We urge the Committee to include report language in the fiscal year 1989 Interior Appropriations bill which exempts facilities with approved PJD's from adhering to these rules. The Indian Health Service has also delayed the release of $2.204 million which Congress appropriated to plan and design the new Ft. Defiance Hospital in FY'88. The new rules would have reduced the size of the facility by 25 percent -- from 48 beds to 36 beds, and delayed its planning. A compromise has been reached that will provide Ft. Defiance Hospital with 42 beds. The existing Ft. Defiance Hospital, built in 1938, is in such poor condition that clinical functions have had to be removed from the main building. We believe that the Navajo people in Ft. Defiance and Shiprock have waited long enough for quality health care and the Navajo Nation urges this Committee to ensure that the Executive Branch does not violate Congressional intent. The planning and design funds appropriated by Congress for Ft. Defiance and Shiprock Hospitals must be released at once.

Community Health Representative Program

Last year for the first time in several years, the Community Health Representative Program received an increase to keep up with inflation. The administration had proposed a reduction in funding last year, while also proposing to terminate the program in the out years. This would have been disastrous. Instead, Congress had the foresight to approve $27.382 million for CHR -- an $809,000 increase from FY'87 levels. The CHR program is critical to the Navajo people because it allows the tribe to provide health care to thousands of Navajos living in outlying areas of the reservation. CHR also provides home visits, follow-up of hospitalization, monitoring of medication and other preventive services.

Once again, the program is under attack from the Administration. The Administration is proposing to fund the program at the same level as in FY'88 but is devoting an extra $1.5 million to fund the inflationary cost increases associated with providing CHR services. Yet, the Administration proposes an offset in the same amount that the IHS estimates will reduce services by 9.9 percent. The budget justification document says the decrease will be offset by increased efficiency and better targeting. It is hard to imagine how greater efficiency can offset a 10 percent reduction in services. The CHR Program management has been notorious for being unable to determine how it would elicit greater efficiency. For example, a multi-million dollar CHR Information System (CHRIS) was disapproved by the Office of Management and Budget not only because it was not processed through proper channels, but because OMB found it to be too cumbersome. Just this year, in response, the CHR Program introduced a more streamlined Management Information System and Resource Allocation Methodology. There is no conceivable way program managers could have had the time to determine that greater efficiency could offset cuts in funding. Instead of decreasing services, the Navajo Nation once again advocates a funding increase for the program to keep pace with the rapidly growing service population and health care inflation.

The Administration's proposal is extremely ironic. Throughout the IHS budget justification document, there is much rhetoric concerning self-sufficiency. In every section of the document, there are statements such as: "The IHS continues to work with tribes and tribal organizations to encourage nationwide participation in the planning and operation of health care services and will continue to actively support self-determination for tribal organizations. However, it must be recognized that the participation of tribes or tribal organizations in self-determination is dependent and determined by the initiative of individual tribes." This thought is reiterated throughout the document. Yet, the IHS proposes to reduce CHR services by 10 percent even though the program is totally managed and operated by tribes.

Urban Health Care

The Urban Health Care program is absolutely critical to providing care to Native Americans living in urban areas. The program provides outreach and federal services, while also providing comprehensive ambulatory health care, medical, dental, community services, and a variety of other health-related services, such as family planning, mental health, social services, etc. Once again, the Administration had proposed to terminate this program in past budgets.

This year, the Administration proposes to reduce the program more than 10 percent -- from $9.6 million to $8.6 million. Supposedly, third party reimbursement of $1.5 million will allow services to be provided at the same level as in fiscal year 1988. The Committee should scrutinize this proposal as the Navajo Nation is extremely skeptical of this level of reimbursement.

Contract Care

Contract care is a critical program to the Navajo Nation. The program allows the tribe and the Indian Health Service to contract for services that are not available in IHS facilities. The program provides Navajos with hospital care, laboratory, dental, radiology and pharmacy services.

Last year the administration proposed to reduce this program from approximately $183 million to $137 million -- a 25 percent decrease. We are thankful that Congress appropriated $198 million for the program, which includes a $15 million fund for catastrophic care. This fund helps to offset overwhelming expenditures.

The Navajo Nation generally supports the Administration's request of $209.5 million for contract care. We would request that the committee closely monitor funding levels to ensure that the contract care needs of Indian people are being met. Without the ability to acquire third-party service, the health needs of Indian people will not be met.

Health Care Improvement Fund

The Navajo Nation commends the Indian Health Service on its decision to direct income generated from Third Party Collections to a Health Care Improvement Fund, instead of offsetting it to their General Fund, as they proposed in earlier years. We would like clarification, however, as to whether or not these revenues will remain in the area in which they were generated. We fear that their removal to a central fund will result in the same disincentive as the original offsets: the income generated by those who work the hardest will be distributed among service areas which may be more needy, but which did not work as hard to generate payments.

Drug and Alcohol Abuse

The Navajo Nation continues to grapple with severe problems associated with drug and alcohol abuse. The effects of substance abuse continue to hinder the potential of our children, and, thus, the development of our nation. Drug and alcohol abuse constitute five of the ten leading causes of death on the reservation. These causes include accidents related to alcohol, chronic alcoholism, cirrhosis of the liver, homicides and suicide, and accounted for 45 percent of the deaths on our reservation. Additionally, alcohol abuse was responsible for 6,199 child abuse and neglect cases in 1988 -- a 14 percent increase since 1983. Alcohol abuse cases handled by the Navajo courts comprise approximately 40 percent of all cases on the reservation.

The Navajo Nation is extremely concerned about the lack of adequate resources appropriated by the Congress to effectively deal with substance abuse. Our tribe has recently implemented a reservation-wide drug and alcohol prevention program in our schools. However, a partnership with the federal government is required to remove the scourge of drugs from our reservation. Being 20 percent of all reservation-based Indians in the U.S., we would hope that an equitable formula is established that will give the Navajo Nation the resources it requires to effectively deal with this problem once and for all.

Indian Health Manpower

By IHS's own admission, it is "experiencing shortages of critical health manpower required to effectively provide health services." There are several statutes that authorize mechanisms for coping with manpower shortages. One provides scholarships to recruit people for the health professions, another provides supplemental training for those interested in attending a professional school but who require additional course work to qualify, and finally, allowances are provided for continuing education for IHS employees.

In spite of the shortages acknowledged by IHS and documented by the Office of Technology Assessment (OTA) in its study of Indian health care, IHS proposes the same level of funding as was contained in last year's budget. Of course, as the price of education increases, services will actually be reduced. Indian people are entitled to the same proportion of doctors to patients as the rest of the country. It is clear that this budget request perpetuates the status quo and does not address the problem described by IHS and OTA. Last year the Administration proposed funding the program at $4.6 million. Fortunately, the Congress had the foresight to increase funding by $3 million, or by more than 60 percent. We would propose that you give this important program the same consideration this year as you did last.

Health Professions Recruitment Program

We are encouraged that grants have been provided to the Universities of North Dakota, California, Oklahoma and Hawaii, in addition to the scholarship and loan repayment programs. However, we hope that future plans are made for the dissemination and support of health career programs which will serve regional universities throughout the nation. The Navajo Nation has already initiated its own recruitment program through coordination with regional universities and hopes that similar programs will be supported by IHS.

Tribal Health Programs

We commend the efforts of the Public Health Nursing Program, particularly in the health promotion of expectant mothers and their infants. We would like to commend and draw attention to the House Appropriations Committee's support of the U.S. Department of Agriculture's proposed study of the Women, Infant and Children (WIC) Program. It is our feeling that this program has contributed substantially to the improvement of maternal and child health as well, and may provide valuable information on how tribal governments can contribute to the cost-effectiveness of programs through their coordination within a continuum of care.

New Initiatives

The Indian Health Service has put forth several new initiatives in its FY'89 budget submission. First, it is our belief that such initiatives should not be put forward in the budget process, but should be proposed in authorizing legislation.

The Indian Health Service has proposed language that would allow non-Indian patients to be provided with health care at tribally administered facilities and be charged for such care. Of course, the first worry that arises is that services provided to tribal members would decline as facilities attempt to begin establishing greater cashflow. However, the IHS has addressed this concern by proposing the following language: "...if such care can be expended without impairing the ability of the [Indian Health Services] facility to fulfill its responsibility to provide suitable care to Indians served by such facilities..." The other concern that the Navajo Tribe has with such a proposal is that the funds received by the facility through the provision of such care do not revert to the Federal Treasury. The IHS proposes that the funds be made available to the tribe or tribal organizations managing the facility. Thus, it appears as if IHS has adequately addressed concerns that such a proposal raises.

The Navajo Nation worked with the Office of Management and Budget (OMB) on this proposal. The unavailability of health care can dramatically affect our economic development effort. The private sector is extremely hesitant to locate on the reservation when they are unsure that their employees can acquire necessary health care. In the past, artificial barriers had kept reservation-based non-Indians from receiving care on the reservation. Quality care must be available to non-Indian workers and their families. We have had situations where a non-Indian employee was sick and could not get treated at an IHS facility. Obviously, the language advanced by IHS will ensure that this does not occur again. Additionally, the ability to acquire funds for the services provided should provide tribes with an incentive to manage their own facilities.

The other major initiative included in the budget is to establish the recently upgraded Indian Health Service in Albuquerque, New Mexico. This is an interesting proposal. First, the Indian Health Service should not spend $2.5 million exploring the feasibility of this proposal. The funds would be better spent meeting the health needs of Indian people. There would appear to be sufficient resources in the central office to finance the study.

A majority of Indian people live in the Southwest. Thus, health care would be decentralized and health programs would be structured by people in the field, who understand the needs of tribal members. The only potential problem associated with this initiative would be the removal of the Indian peoples' advocate in Washington for health care. Thus, the Navajo Nation could endorse this approach if we could be sure it was not simply an attempt to reduce services and remove our presence from Washington. However, if reducing the size of the Washington bureaucracy frees up extra resources and precautions are taken by the Committee, we would support this proposal. Further, the Navajo Tribe believes that policies should be created and implemented by those in the field. Decentralization, is a most worthy goal. We urge the Committee to monitor the move and quantify the resources that would be saved.

Conclusion

The Navajo Nation appreciates the opportunity to provide you with our views on the proposed IHS budget for Fiscal Year 1989. We hope our views are helpful when the Committee begins to shape the Fiscal Year 1989 appropriations bill. The Navajo people are extremely appreciative of the efforts that this Committee has expended on behalf of Indian people.

NATIONAL INDIAN EDUCATION ASSOCIATION

TESTIMONY

BEFORE THE SENATE SELECT COMMITTEE ON INDIAN AFFAIRS

ON

THE FY 1989

PROPOSED ADMINISTRATION BUDGET

FEBRUARY 25, 1988

EDWARD PARISIAN, PRESIDENT

Good morning, Mr. Chairman. My name is Ed Parisian and I am here today on behalf of the National Indian Education Association (NIEA) as its President.

The NIEA is an umbrella like organization in that our membership consists of all facets of Indian education. My purpose here today is to voice the views of our constituency and our membership on the proposed FY '89 budget as it effects Indian education.

Basically, Mr. Chairman, in all fairness I would have to say that the Budget as proposed is a mixed bag. The Department of Education budget which not only provides Indian students and institutions at all levels, with program services through the Indian Education Act, but also through the various other Department programs such as Chapter I, Handicapped, Bilingual, Vocational Education, Impact Aid and others is by and large a sound budget. After all, the total Department of Education budget reflects an 8% increase over FY '88. That in itself is good and we support those increases.

It should be made clear however, that in Title IV for example, although the budget does represent an increase, it is still well below the need. Funding for Title IV exceeded $80 million in FY 1981.

Another example of where the Department of Education's budget falls short is within their proposed funding for library services and construction. The proposed budget reflects zeroing out this activity. The effect of this would be to eliminate those library services and construction dollars going to tribes under the tribal set-a-side. Much has been done in the past few years with these dollars and many tribal plans will be eliminated under this budget request. NIEA supports at minimum an 8% increase above the FY '88 level which would conform to the average percentage increase to all other programs funded by the Department of Education for FY '88.

Moving from the Department of Education to the Bureau of Indian Affairs. It is here where we have a very real concern as the Bureau education budget goes in the opposite direction from the Department of Education's budget. It does in fact show a reduction.

The Indian Student Equalization Program formula is reduced by over $2 million, which according to the Bureau reflects a decrease in the total amount of weighted student units in FY '89. In fact, the actual dollar amount per W.S.U. increases slightly to $2,400.00 per W.S.U. That of course is a positive gain, however I would like to see this Committee request of the Bureau a little more visible evidence that the weighted student unit count for FY '89 will in fact be reduced.

NIEA does support the efforts being put forth by the new Director of Indian Education Programs for the Bureau, which are aimed at incorporating the "effective schools" concept into the Bureau program. We are happy to see that there is a commitment of dollars included in the Indian School Program Adjustment line item addressing this program.

NIEA is deeply concerned about the proposed reduction in tribally controlled community college operation grants. The Bureau's budget negates the gains which were reflected in the FY '88 budget with no apparent reason other than to say that the program is not intended to meet the total cost of tribal college operation. NIEA supports the position of the American Indian Higher Education Consortium on this point, but would like to emphasize to the Committee that the reductions particularly make no sense when you consider the fact that potentially two new tribal colleges could be eligible for funding in FY '89.

NIEA would like again to request of this Committee their support for BIA-education forward funding. The majority of the education programs administered by the Department of Education are forward funded making it easier for the recipients of program dollars to budget and plan for the expenditure of those dollars. Forward funding of ISEA and tribally controlled college dollars for example, would allow bureau funded schools to actually plan a budget including completing contract negotiations with staff before the beginning of a school year. Under the current funding system not only can we not plan, but we sometimes cannot even spend dollars appropriated for a fiscal year until well into the second or third quarter of the fiscal year, which is well into the last quarter of the school year. Mr. Chairman, that is no way to operate a school. Forward funding would address this problem.

NIEA also supports increased funding for the Special Graduate Scholarship Program which is administered through a contract with American Indian Scholarships, Inc. (AIS) of Albuquerque, New Mexico. In FY '89 the Administration is only requesting $1.5 million; the real program need is $2.5 million.

Finally, Mr. Chairman, we would ask that the Committee request in its budget report to the Senate Budget Committee that the BIA and the Department of Education include in their FY 1990 budget request funds for the White House Conference on Indian Education which under S.373 will convene between October 1, 1989 and September 30, 1991. This is an extremely important event which will set the agenda for Indian education for the next century. NIEA feels the time for its planning is now.

We thank you, Mr. Chairman, for allowing us the time to present our views before the Committee today and NIEA stands ready to provide the Committee with any assistance they may need.

Thank you.

PREPARED STATEMENT OF MELVIN R. SAMPSON, CHAIRMAN, YAKIMA INDIAN NATION, TOPPENISH, WASHINGTON

Mr. Chairman, I am Melvin R. Sampson, Chairman of the Yakima Indian Nation in Toppenish, Washington. I also serve as Chairman of the National Indian Health Board, a private non-profit corporation based in Denver, Colorado, whose Board of Directors is comprised of elected tribal officials from each of the geographic service regions of the Indian Health Service (IHS). NIHB is committed to improving the health status of all American Indians and Alaska Natives, and we work closely with Area Health Boards, Inter-Tribal Councils, Tribal Health Departments, national Indian organizations, and other interested parties to carry out our mission. As part of our cooperative effort, this statement has been developed in collaboration with the National Congress of American Indians, the Association of American Indian Physicians, and other national and regional groups. On behalf of our respective organizations, I wish to express my appreciation to the Committee for the opportunity to present our views on the President's fiscal year 1989 budget recommendations for the Indian Health Service.

For the first time under this Administration, we have before us a budget request for the Indian Health Service that does not recommend massive reductions in clinical services and the outright elimination of vital preventive health programs such as the Community Health Representatives. In fact, the Administration proposes a modest 3.7 percent increase over the amount appropriated for Indian health services programs in FY 1988. Compared to its budget recommendations of past years, the Administration's request for FY 1989 is a significant improvement--hopefully, it represents a permanent departure from past budget policies that would have dismantled the Indian health program. We believe that this change in the Administration's budget approach is due in large part to the commitment of the Congress--and in particular this Committee--to maintain the delivery of health services to American Indians and Alaska Natives. We deeply appreciate your support in this regard.

Although the FY 1989 budget request is a considerable improvement over past years and a step in the right direction, there are several recommendations that we find objectionable and potentially damaging to the Indian health care system. For example, the Administration's budget, as in past years, fails to request funding for the construction of health facilities, despite the profound need for new and replacement hospitals and clinics, repair of existing buildings, and provision of safe drinking water and sanitation hookups. In the Health Services budget, the Administration's justification asserts that the funding increases provided over the FY 1988 levels are sufficient in most cases to continue current services. This is not true--the amounts proposed in several budget categories will require a reduction in health services to the Indian population.

The Administration would also have us believe that its "Indian self determination initiative" will encourage tribes to contract for health programs under P.L. 93-638. We disagree--the proposed changes appear to reflect a continuation of the so-called "10-75" plan put forth by the Administration last year, a plan that was strongly opposed by tribes and Indian organizations. Other significant recommendations in the Administration's budget, such as providing $2.5 million for the proposed relocation of IHS headquarters to Albuquerque, N.M., are offered without appropriate review and comment by tribal governments, and must therefore be seriously questioned.

Before addressing these and other issues related to the FY 1989 budget, we wish to touch on two immediate concerns: eligibility for health services, and the need for a supplemental appropriation in FY 1988. In response to numerous protests from tribes and individual Indian beneficiaries, the Congress directed that the IHS final eligibility rule (published September 16, 1987 in the Federal Register) be delayed six months. We support this action, and request that the delay be extended to enable IHS to conduct an area-by-area impact analysis of the eligibility rule. We believe that such an analysis would assist tribes and IHS in understanding the full effect of the rule, and would hopefully yield new alternatives for redefining eligibility criteria.

With regard to IHS funding for the current fiscal year, we are concerned that IHS will be forced to absorb personnel cost increases as well as other inflationary costs in FY 1988, thereby further reducing the availability of health care to Indian people. The projected shortfall for IHS this year is approximately $16 million, and we ask that the Committee seek a FY 1988 supplemental appropriation to cover these costs.

Turning to the FY 1989 budget for IHS, I wish to expand on our earlier observations and comment on four areas: (a) adequacy of resources, (b) Indian Self Determination, (c) administrative issues, and (d) facilities construction.

A. Adequacy of Resources

Over the past eight years, funding for IHS and tribal health programs has increased incrementally from approximately $600 million in 1980 to $943 million in 1988. Despite these increases, spending for Indian health services in the 1980's has failed to keep pace with medical inflation and the additional demands of a service population that is growing by more than two percent each year. As illustrated in a recent analysis of statistics from the Health Care Financing Administration, per capita medical expenditures for Indians (excluding Alaska Natives and adjusting for inflation) dropped from $1,068 in 1980 to $797 in 1987, a reduction of nearly 25 percent. For the U.S. general population similar expenditures increased slightly during the same time, from $1575 in 1980 to $1649 in 1987. As a result, the difference in per capita health expenditures between Indians and the U.S. general population has nearly doubled in the last eight years, from $507 in 1980 to $983 in 1987.

We recognize that the quality of health care cannot be measured solely in terms of per capita spending. A number of cost-effective initiatives undertaken by IHS and tribes--particularly in the area of health promotion and disease prevention--have helped lessen the impact of diminishing expenditures per individual Indian patient. Nevertheless, these figures clearly demonstrate the erosion of purchasing power in Indian health program dollars during the 1980's, and show that the gap between the Indian service population and the rest of the United States is widening. Unless this downward spiral is reversed, we cannot reasonably expect to make continued progress toward the national goal of raising the health status of Indian people to a level equal to that of the general population.

Unfortunately, this disturbing trend would continue under the Administration's proposed budget for FY 1989. The four percent increase proposed for clinical services is insufficient to cover inflationary costs for medical supplies and equipment, staff salary increases, and other related costs. Assuming even the conservative projections for medical inflation used by the Administration, the proposed budget for IHS and tribal health services in FY 1989 is at least $25 million less than the absolute minimum required to maintain existing service levels, which are already inadequate for meeting the health needs of Indian people.

We find the Administration's recommended funding levels unacceptable, and we urge this Committee to consider a budget that is more in line with the overall growth in the health budget for the rest of the nation. According to HCFA's own statistics, aggregate health care spending for the U.S. general population increased 99 percent between 1980 and 1987, compared to a 59 percent increase for the Indian service population. To begin making up the enormous difference that has accrued in the 1980's, we ask that the Committee consider our budget request of $1.36 billion for health services. Our projection is based upon IHS's own ~~initial~~ request, with modifications for inflation and specific program increases. We believe this budget to be a more comprehensive approach that would allow for a reasonable expansion of programs to meet the tremendous backlog of unmet need; provide for new initiatives in the area of health promotion and disease prevention; continue the alcohol and drug prevention effort initiated under P. L. 99-570; provide funding for an $11 million demonstration project to assist tribes in exploring alternative arrangements for health services financing and delivery; and fund the chronic shortfall for tribal indirect and health program costs, thereby addressing the most serious impediment to tribal contracting for health programs under P.L. 93-638. A line-item breakdown of our request is attached. Within this overall amount, we ask that the Committee give special consideration to the following items:

Medicare/Medicaid Collections: The Administration's budget projects a $4 million increase in Medicare/Medicaid reimbursements, which would be used to fund mandatory program increases for Hospitals and Clinics ($2.88 million) and Contract Care ($1.1 million). We view this as an offset of direct program dollars in violation of the statute which authorizes such collections. We ask that the Committee disallow this offset and require that any additional Medicare/Medicaid collections be used to maintain accreditation of IHS facilities.

Contract Care: The contract care program is a vital component of IHS and tribal health systems, providing for surgical and specialty medical care not available in Indian health facilities. The Administration proposes an increase of approximately 5 percent for this program, which is substantially less than the 8-10 percent medical inflation rate projected for FY 1989. At its current funding level, contract care services are limited to urgent and emergency cases, which has often forced Indian patients to postpone medical treatment. According to IHS estimates, the cost for meeting the level of deferred contract care services nationwide--which includes high risk pediatrics, surgery, dentistry, and mental health cases--amounts to more than $64 million. Our request of $266 million for the contract care program in FY 1989 would enable IHS and tribal health programs to begin effectively addressing this overwhelming need.

Community Health Representatives: We are pleased to see that, for the first time in eight years, the Administration is not seeking to eliminate or "phase over" funding for the Community Health Representatives program. However, as noted in the IHS budget justification, the proposed funding level will result in a $1.5 million program decrease and a corresponding reduction of 342,000 patient services (a 9.9 percent decrease). We request that the Committee provide $30 million for the CHR program in FY 1989, which includes a modest cost of living increase for these dedicated tribal health workers. We also ask that the Committee continue to monitor the development and implementation of the CHR reporting system to insure that it can be brought on-line as effectively as possible.

Health Manpower/Clinical Staffing: With the reduction of health manpower programs throughout the Department it has become increasingly important that the IHS physician recruitment and health scholarship programs be strengthened. For FY 1989 we note that the Administration is seeking cuts of $41 million in non-IHS health professions programs in the Department, which will place an additional burden on IHS to meet the demand for professional clinical staff at IHS and tribal facilities. We deeply appreciate this Committee's support of the physician loan repayment program which will assist IHS in addressing staffing deficiencies for the current fiscal year, and request that the Committee consider increasing the funding for this program to $4 million in FY 1989. With regard to the IHS health scholarship program, we note that the Administration's request of $7.6 million will result in the awarding of 8 fewer preparatory scholarships, 10 fewer health professions scholarships, and 10 fewer extern placements. We believe this scholarship program offers the best hope for a long-term solution to the problem of staffing IHS and tribal facilities, and find this proposed reduction unacceptable. We ask that the Committee consider increasing the amount in the health manpower account to $8.4 million in FY 1989 to provide for a modest expansion of this important program.

AIDS: The budget justification for the Department of Health and Human Services requests an increase of $337 million for the prevention, treatment, and research of acquired immune deficiency syndrome. We are concerned the Department's current plans for allocation of these new funds exclude IHS; the monies will instead be targeted to the other six agencies of the Public Health Service, according to the Department's budget justification. As the largest provider of direct health services within the Department, IHS should be entitled to a portion of these funds. Presently, there are 53 reported cases of Indians afflicted with this deadly disease. While the number of Indian AIDS cases is relatively small compared to that of the general population, the figure reflects an alarming 112 percent increase over the number of Indian AIDS cases reported just 16 months ago. We recommend that the Committee consider an initiative for a national Indian AIDS prevention, screening and treatment program that would target the needs of Indian communities, and that would also provide information and counseling for health providers and other staff at Indian health facilities. We also request that funding for this initiative--which could be undertaken for $2.5 million--be provided from the Department's requested increase for AIDS rather than utilizing the limited resources intended for other IHS and tribal priorities.

Urban Health: The Administration's request seeks a 10 percent reduction in funding for urban Indian health projects, which would require a program decrease of $1.5 million. The

Administration explains that this reduction can be offset by increased collections of third-party reimbursements. Yet, as the testimony of urban project representatives has repeatedly shown, these additional revenues from third-party providers are not available. Other programs designed to provide care in urban areas, such as community health centers, university hospitals, and state and local services have endured serious funding problems in recent years, and are simply unable to provide substantial assistance to urban Indian programs. We oppose the Administration's recommendation, and request that the Committee consider the budget proposed by the American Indian Health Care Association for $14.5 million in FY 1989.

B. Indian Self Determination

While we strongly support efforts that would genuinely strengthen Indian Self Determination, we have serious doubts about recommendations contained in the Administration's budget that purportedly seek to improve tribal opportunities for contracting under P.L. 93-638. Part of our concern centers on the Administration's own track record with respect to tribal health programs, and we need only look to the IHS budget justification for FY 1989 to illustrate our point. In the discussion of the CHR program, the justification notes that there are presently 234 contracts or grants that enable tribal governments "to address their health care priorities in keeping with the intent of self-determination legislation." The justification adds that the "CHR program is of itself a prime example of Indian Self Determination, embodying all the precepts and managerial goals of this principle."

Yet, this is the very same CHR program that for years was targeted for elimination by this Administration, an effort that was bitterly opposed by tribes. And while the Administration appears to have changed its position in the FY 1989 request, the proposed budget would still require a $1.5 million program decrease resulting in a 9.9 percent reduction in services.

It is precisely this kind of action by the Administration that has served to undermine tribes' willingness to contract under P.L. 93-638, and which causes us to question proposals put forth in this request for the purpose of improving Indian Self Determination. For example, bill language in the FY 1989 request states that from the total appropriation, "...$245,134,000 shall be made available exclusively for funding grants and contracts for Tribal Program activities." This language is unnecessary because authority for contracting for these amounts is already established under P.L. 93-638. In fact, this provision would prove excessively restrictive in the event a tribal program is retroceded, since the funds could apparently be used only for grants and contracts.

We also question the rationale for breaking down the IHS budget activities into "Direct" and "Tribal" components. At first glance, this structure appears to have the benefit of permitting closer scrutiny and "tracking" of tribal funds. However, we are concerned that this format is merely intended to assist in carrying out the Administration's "10-75" goal by gradually shifting resources between the IHS and Tribal ledgers. As noted in the IHS budget justification, the Administration has reiterated its support of the goal "to entrust 75 percent of IHS resources to tribally administered health organizations by the year 1998." Tribal representatives strongly criticized this proposal when it surfaced in last year's budget request because, among other reasons, they viewed it as an attempt to coerce tribes into contracting for IHS programs. In addition, one of the driving forces behind the "10-75" proposal seems to be the belief that the IHS budget can be reduced through Indian Self Determination contracting, and that tribes will somehow be able to provide health services with less funding than IHS. We therefore reiterate our concern over the Administration's proposals for Indian Self Determination, and ask the Committee to instead consider following two recommendations.

Improving P.L. 93-638 Contracting: The IHS budget justification identifies several impediments to P.L. 93-638 contracting, including the "lack of experience" of tribal governments, tribes' "unfamiliarity with the P.L. 93-638 program and process," and "tribal misconceptions" about the intent of P.L. 93-638. To these barriers we wish to add the following: the difficulty in obtaining accurate, complete fiscal information on IHS service unit operating costs; excessive and burdensome reporting requirements; the lack of adequate training and technical assistance; concern over unstable, unpredictable operating budgets; and the inability of tribal contractors to recover the full amount of their indirect costs. Presently, tribes are moving on two different fronts to address these and other problems. First, IHS-tribal working groups have been formed to identify solutions to specific problems, and their recommendations will be shared with other tribal representatives at an upcoming national IHS meeting. Secondly, the Congress is now considering landmark legislation to amend P.L. 93-638, based upon numerous recommendations from tribal representatives and P.L. 93-638 contract administrators. Enactment of this important measure--which we hope will happen soon--should help to resolve several of the aforementioned barriers to contracting. We ask that the Committee monitor these developments to insure that any action taken in the FY 1989 budget be consistent with the initiatives taken in these two areas.

Indirect Cost Line Item: We appreciate action taken by this Committee last year to establish an Indian Self Determination Fund and provide additional monies for the indirect cost shortfall for tribal contractors. However, we are disturbed that the Indian Self Determination Fund is not considered part of the recurring IHS base budget, and we ask that the Committee clarify that future appropriations for this activity be included in the base. Lack of funding for tribal indirect costs continues to be one of the most serious problems hindering tribal takeover of IHS programs. In light of this ongoing problem and the action taken last year, we ask that the Committee consider creating a new line item in the IHS budget for tribal indirect costs, and that this activity be increased an additional $39 million to meet the demand for these costs.

C. Administrative Issues

Included in the President's request are several proposals and revisions for IHS administrative responsibilities. With regard to the $2.5 million proposed for a possible relocation of IHS headquarters to Albuquerque, N.M., we are concerned that such a move would be disruptive to IHS operations following the recent elevation to agency status. We believe it is imperative that IHS maintain a presence in the Washington, D.C. area in order to coordinate its resources and functions with the central administrative offices of other federal and private health institutions.

Rather than allocating $2.5 million to a study of relocating IHS headquarters, we believe the agency and tribes would be better served by an overall "management review" of IHS. Such an analysis, as we envision it, would encompass the overall management structure of IHS, including personnel systems, communications, fiscal and accounting operations, and the function and interrelationship of IHS Headquarters, area offices, and services units. We believe that this management review could be completed for less than the $2.5 million requested by the Administration, and we request the Committee consider providing these funds as an increase to insure that the cost of the study would not detract from other IHS and tribal priorities.

Another important administrative matter is the IHS' process for determining resource requirements and allocating resources. Considerable time and energy has been devoted to development of a needs-based resource allocation formula in recent years. While serious policy questions remain, we support the process that has encouraged tribal involvement and consultation on this complex issue. We are concerned with statements in the IHS justification that suggest there could be a move away from this needs-based model to an approach that would utilize measures such as "physician per population ratios, outpatient visits per year, and time spent face to face with a physician." While the use of these standards as the primary indicators of resource requirements and quality of care may work for the typical Western medical model, we believe this is an inappropriate approach for the prevention oriented, community-based health system that serves the Indian population. We appreciate this Committee's past efforts in monitoring the IHS resource allocation process, and request your continued oversight of these activities. Additionally, in response to IHS' contention that "the continuation of a policy calling for the reallocation of base dollars would be unwise," we request that the Committee consider the establishment of an Indian Health Care Improvement Fund as provided for in the Indian health care amendments of 1987 (H.R. 2290, S. 129). This fund would target additional resources to tribes and service units that are most in need, and would eliminate the disruption caused by reallocating mandatory increases and base funding.

A third administrative issue is our concern over proposed revisions in the FY 1989 bill language. We oppose changes in bill language that would make IHS appropriations available until expended. Although it would appear on the surface that this authority might improve IHS' management flexibility, we fail to understand why IHS would not be able to obligate funding for all Health Services activities within the timeframe alloted in the existing language. We also oppose changes in the Administration's bill language that would eliminate authority for special retention pay for IHS physicians and remove IHS' exemption from personnel ceilings and hiring freezes.

D. Facilities Construction

As in past years, the Administration is requesting that the "Indian Health Facilities" account be merged with the "Health Services" budget. We ask that the Committee once again reject this recommendation and support separate authority for IHS construction activities.

Regrettably, the Administration's new approach to the IHS budget does not extend to the area of facilities construction. In recent years, the Congress has followed a rational, objective methodology for constructing new IHS health facilities. We understand that the IHS construction priority lists now in use do not include consideration for tribally-administered programs, and that IHS will be revising these lists to correct against this bias. Because this new analysis of Indian health facilities will not be available until next year, we ask that the Committee include funding for the top facilities on the current lists to ensure that work can begin on these projects next year. Specifically, we request the Committee to consider the following projects:

Hospitals: A total of approximately $23 million is needed for hospitals in Anchorage, Alaska; Katzebue, Alaska; Winnebago, Nebraska, and the Indian Medical Center in Phoenix, Arizona.

Outpatient Clinics: A total of $12.9 million would be required to provide for construction and planning of the top ten outpatient facilities. These facilities include clinics at Fort Hall, Idaho; Taos, N.M.; Tohatchi, N.M.; Fort Yuma, Arizona; Fort Belknap, Montana; Wagner, S.D.; White Earth, Minnesota; Stillwater, Oklahoma; Pinon, Arizona; and Montezuma Creek, Utah.

Modernization and Repair: We request that $24.9 million be provided for the backlog of general repair and maintenance that is required for at least 45 IHS facilities.

Sanitation: As stated in the IHS budget justification, the sanitation facilities program has played a crucial role in helping to alleviate environmentally related diseases in Indian communities. At present nearly 20 percent of all Indian homes are without sanitation facilities. We ask that the Committee continue this important program with funding for safe water and sanitation hookups for new and existing homes.

This concludes our statement. Again, I wish to thank the Committee for its past support and the opportunity to present our views. I would be happy to respond to any questions about our statement.

INDIAN HEALTH SERVICE
FISCAL YEAR 1989 BUDGET

($ in thousands)

SUMMARY ANALYSIS

	FY 1988 Appropriation_1/	FY 1989 President's Request _2/	FY 1989 Required Increase Current Services_4/	FY 1989 Current Service Totals	FY 1989 NIHB Request_5/
Clinical Services:					
Hospitals & Health Clinics	$ 537,000	$ 556,423	$ 24,514	$ 561,514	$ 761,224
Dental Services	28,974	30,318	1,455	30,429	46,223
Mental Health	12,466	13,091	697	13,163	23,402
Alcoholism Program	29,335	30,959	1,800	31,135	42,321
Maintenance & Repair	11,359	11,756	704	12,063	14,235
Contract Health Care	198,481	208,335	12,272	210,753	266,027
Preventive Health:					
Sanitation	23,907	24,626	913	24,820	38,155
Public Health Nursing	14,113	14,467	425	14,538	24,297
Health Education	4,413	4,651	278	4,691	7,181
Community Health Reps	27,282	27,282	1,692	28,974	30,010
Immunization	395	417	24	419	459
Urban	9,624	8,662	597	10,221	14,500
Indian Health Manpower	7,646	7,646	458	8,104	8,411
Tribal Management	3,094	3,218	166	3,260	5,190
Indirect Costs, Tribal Contracts	--	--	--	--	39,000
Direct Operations	41,392	42,471	1,308	42,700	46,128
Indian Health Facilities	--	2,450 _3/	--	--	--
TOTAL HEALTH SERVICES	$ 949,481	$ 986,772	$ 47,303	$ 996,784	$1,366,763

_1/ Includes adjustments for transfers from HRSA as a result of IHS elevation

_2/ Proposes that funding be available until expended. NIHB opposes this recommendation. NIHB also opposes proposal to restructure budget into "IHS" and "Tribal" accounts.

_3/ Proposes merger of the Health Services and Health Facilities accounts. NIHB opposes this recommendation and requests that the budget be maintained separately. NIHB also requests that funding be provided for Health Facilities construction based upon the current IHS priority systems.

_4/ These increases include costs related to inflation and personnel. The $47,303,000 total is the minimum amount needed to maintain FY 1988 services.

_5/ Projections based on original request developed by IHS for FY 1989, with approximately 10 percent increase for each line item. The total reflects the amount NIHB believes is needed to expand existing programs, address the backlog of unmet needs, undertake new initiatives for health promotion and disease prevention, and provide for indirect costs.

PASCUA
YAQUI
TRIBE

7474 S. CAMINO DE OESTE • TUCSON, ARIZONA 85746 • PHONE (602)883-2838

March 15, 1988

Dr. Patricia Zell
Senator Inouye's Office
Heart Senator's Bldg., Rm. 722
Washington, D.C. 20510

Dear Dr. Zell:

This is a prepared statement for the record for Appropriations Committee Hearings. We wish we would present this testimony in person but the tribe does not have the necessary funds to travel to Washington, D.C.. It is also Lent, which is an important time for the cultural ceremonies of the tribe. We do not leave our community during this time to conduct business if at all possible.

The Pascua Yaqui Tribe Health Program will be in serious trouble next year. The problem needs to come to your attention because this is a problem that will not be unique only to Yaquis. This is a problem that all new tribes recently recognized by the Bureau of Indian Affairs will face. Base dollars for services is set from previous census and program and then regulated by the fact that we can not shift more than five percent from the base according to IHS rules.

The Pascua Yaqui Tribe was federally recognized on September 18, 1978. At that time we started to set up tribal programs. The people that were enrolled then were counted toward the base population for Indian Health Service funding. There were quite a number of people who were put on the "pending enrollment" list. These people were not able to be enrolled until after a constitution was ratified. The constitution was ratified in January of 1988. An election will be held June 6, 1988. For the first time, this tribe will have a tribal council, chairman and vice-chairman elected according to a formally ratified constitution. The problem arises that the IHS base for the Pascua Yaqui tribe is around $400,000.00 dollars for health services. In fiscal year 1988, we were awarded through Indian Health Service $514,819.00 dollars. This money came from carryover monies from the past as well as, one time awards of money that will not be repeated, as the Resource Allocation Methodology (RAM) process is instituted in Indian Health Service. This is at a time when our programs are expanding to meet our population. We need closer to $550,000.00 dollars to operate the present tribal health program adequately. Our program is cost effective; we deal with prevention and health follow-up services that keep medical costs down. For instance, our pre-natal base is expanding and we have started pre-natal clinics and education. The Tribal Health Department is trying to follow every pre-natal to assure a good outcome on the pregnancy.

We have one of the highest drug and alcohol problems of any of the tribes. We estimate that heroin abuse on this reservation could affect one out of twenty young men. We are in the process now of trying to assess the exact magnitude of this problem as related to AIDS Prevention. The Drug and Alcohol Abuse Act, P.L. 99-570 has been a boon to us to try to meet the needs, but we understand these will be "one time" monies also. There are inadequate mental health and drug treatment monies. Attention to these areas is cost effective. The problems, otherwise, increase with some dire results in the forms of domestic violence, cirrhosis, suicide and accidents; and increased substance abuse.

A year ago there were approximately one thousand sixteen (1,016) members of the Pascua Yaqui Tribe living on the reservation outside Tucson. Today there are 3,010 persons, with more houses being completed and more people moving in. The rest of the 5,700 enrolled members of the Pascua Yaqui Tribe live in other communities scattered throughout Central Arizona. The new eligibility rulings affecting Indian Health Service will affect many of these people and they will be eligible for more services. The budget has not kept up with the population increase or the changing regulations. The actual 3,200 persons enrolled with the HMO does not include about 2,500 persons eligible to enroll if they are not on medicare-medicaide or living outside Pima County. The HMO costs about $2,500,000 now per year with another $100,000 for mental health, physical therapy, and other miscellaneous not covered by the HMO. It is projected that there will be another $2,000,000 needed to cover the additional members we feel will be enrolled as things now stand, after the elections in June. There may be even more, depending on the final eligibility regulations. We are assuming that the bidder on the HMO will bid at the going rate of $65.92 per person per month and there is no inflationary raise of their cost. The fact that the increased population has probably not been in a health care system may influence the amount that a bidder will project for care.

There is a continued need to set up a system that works for new federally recognized tribes. We do not want to take from the other established tribes as many of these tribes are having problems maintaining their own community health budgets as well as keeping service unit solvent. There is a need for new dollars as new tribes are recognized. In our case it is about $100,000 for the tribal health program and $2,000,000 for the HMO.

The funding dilemma of our health department is not endemic to it alone. We've always believed that the Bureau of Indian Affairs was mandated to fund tribal programs (P.L. 95-638) at a "reasonable level". However, over the past four years our funding has been steadily decreasing. In 1985 we received approximately $1,269,000.00 in P.L. 638 funds; this year $951,000.00.

Though inflation has an impact on this problem to a degree, it does not compare to the devastating results of our population surge. In 1985 our population peaked at 564, as of today our population has leaped to 3010, with another 500 plus expected by 1990. Since all of the new residents come from off reservation, we are having to pick up many services for these people that were previously serviced by Pima and Maricopa Counties and the State.

If Congress approves our request to re-open enrollment, this will put an additional burden on our available funds. We fully realized when we decided to help our pending members attain an "enrolled" status that this would adversely impact the tribe financially, but using the following case below, you can see how we can't possibly turn our back to those in need.

A Yaqui woman in her forties with 5 children fled 100 miles to this reservation seeking santuary from her husband. She and her family bear the scars of years of continual beatings. Her twelve year old daughter, repeatedly raped by her father, is now pregnant. The child is due in 6 weeks. Results of a recent sonogram test show that the unborn child has severe facial deformities. Tests given to other children in the family indicate sexual abuse, the 2½ year old girl has evidence of this. The 11 year old boy is presently undergoing tests and counseling. The mother of this family is on the pending enrollment list, her parents are not on the base roll, thus there is no lenial decent. We are told by the Bureau that it is illegal for us to service such people. The far ranging implications of this one family extend beyond just financial considerations.

1. Their pending status limits what services, if any, we can offer (no health care, no housing).
2. If she is not considered "Indian", the jurisdiction or authority to handle the adoption of this child could be given to D.E.S.-however, if there is a possibility of our enrollment reopening then, under the intent of the Indian Child Welfare Act, she would be eligible for enrollment and therefore under the jurisdiction of our Tribe.

Other instances of inadequate funding due to population growth and/or funding cuts:

Tribal Courts

October 1, 1985 - Tribal Court funded at $134,014 00 - this year $79,000.00.

Our new Constitution mandates that in addition to the Courts already in place, we must, and have, established a Court of Appeals. $79,000.00 won't even begin to fund the Courts already in place.

Head Start

Our pre-school program, funded through H.H.S. recently completed a reservation wide survey. We have over 300 children that are age and income eligible-we only have funds to place 36 children. This program supplies at least 2/3 of a childs daily intake of food, for some it is the only food they receive. Those children excluded from this program will not only suffer nutritionally, but because of their economic deprivation and lack of pre-school stimulus, their educational future may be in jeopardy.

Senior Citizens

Title VI - Administration on Aging, funded through H.H.S. funds provides nutritious meals to Senior Native Americans. They co-ordinate other services such as Health Care, Social Security, Adult Institutional Care and family counseling. Though our senior citizen population and needs are growing over the past four years, our Title VI funds have been cut $30,000.00.

Compared to other Indian Nations we are a small tribe both in population and lands. Within the boundaries of our reservation (892 acres) we have no oil, lumber or minerals. Being an arid region we have no water, thus we are unable to raise revenues through recreational areas or agriculture. We had set aside 400 acres for agriculture in anticipation of the C.A.P. water arriving in 1990. Since then it has been brought to our attention that this water contains 900 parts per million salts. That, along with a poor soil profile, study rules out a profitable agriculture endeavor.

We know that in your wisdom and compassion you will look at our problem; and as the Appropriation Committee examines the facts that you will consider some type of rectification so that we will not have to cut back on programs that are working and are cost effective. Your attention to this matter will be greatly appreciated.

Sincerely yours,

Raul O. Silvas

Raul O. Silvas, Chairman
Pascua Yaqui Tribe

Ms. Lindsay Rhodes
Administrator

cc: Senator John McCain

Testimony
of
Mel Tonasket, Chairman
Colville Business Council
Confederated Tribes of the Colville Reservation

Before the
House Appropriations Subcommittee on
Interior and Related Agencies

On the
FY '89 Budgets for the Bureau of
Indian Affairs and the Indian Health Service

Mr. Chairman, Members of the Committee:

On behalf of the Confederated Tribes of the Colville Reservation, I want to thank you for extending to us this opportunity to appear before you and discuss our appropriations needs.

We want to focus our testimony this year on six issues of particular concern to the Colville Tribes. The first of these issues relates to the management of Lake Roosevelt by the Park Service and the Bureau of Reclamation. Nearly 45% of the surface area of Lake Roosevelt, including shorelands, lies within either our reservation or that of the Spokane Tribe. For at least fifteen years, we have been engaged in an effort to work cooperatively with the Park Service and the Bureau of Reclamation to provide for the proper regulation and management of our resources on and adjacent to Lake Roosevelt. In 1974, the Interior Solicitor affirmed that the Tribes retain reserved rights to hunt and fish in the on-reservation portions of the Lake. These rights are exclusive of non-Indian rights and include the authority to regulate non-Indian uses of the Lake within reservation boundaries. Based on the Solicitor's opinion, on June 3, 1974 Interior Secretary Morton directed the BIA, Bureau of Reclamation and Park Service to re-negotiate a December 18, 1946 Tri-Party agreement by which they had been administering Lake Roosevelt. Because the Tribes were not parties to the 1946 agreement, Secretary Morton specifically directed these three agencies to nullify the 1946 agreement and enter into a new one "to which the Tribes are a party." In 1975, the Congress also directed BIA, BuRec and Parks to enter into an agreement with the Tribes. Since then, the Tribes have repeatedly sought to negotiate an agreement with the three agencies, all to no avail. In July of 1987, we proposed a detailed draft agreement to the agencies which would have provided the basis for: (1) co-management of the lake; (2) allocation of funds to all managers; (3) implementation of Congressionally mandated Indian employment preference; (4) proper handling of archaeological and historic resources; (5) restoration to the Tribes of lands not needed by the United States; and (6) a process for mitigation of damage or loss to on-reservation resources including fish and wildlife. The Tribes spent a year in careful preparation of this draft. We were hopeful that the draft would spur negotiations with the agencies. However, the agencies have largely ignored our repeated calls for negotiation.

Mr. Chairman, we have been more than patient in this process. Construction of the Grand Coulee Dam in 1940 resulted in the destruction of our culture and the loss of our best lands. The continued failure of our trustees in the Department of Interior to recognize our legitimate governmental and proprietary rights in and around Lake Roosevelt must stop. We ask that you direct the Department to negotiate an agreement with the Tribes and to present that agreement to this Committee no later than December 31 of this year.

The second major issue of concern to us is related to our need for adequate funds to treat alcohol and drug abuse among our youth. P.L. 99-570 holds out the hope that we will finally have adequate resources to address this problem. The reality is that we have yet to see the fulfillment of P.L. 99-570. In what Senator Daschle has termed a unique and unprecedented effort, we have joined forces with seven other Tribes in Eastern Washington and Western Idaho to address this critical problem. At the present time, the only facilities available for drug and alcohol treatment are on the west slope of the Cascades. During most of the winter months, travel to these facilities is dangerous. Even in the warmer months, we find it difficult to use these facilities because of their geographic remoteness. We need a facility on the east slope of the Cascades if we are to develop realistic, family-based treatment programs for our youth. The other Tribes in the Portland Area are supportive of our efforts to locate a facility on the East Slope. For FY '88, we will receive $100,000 for planning and design for this facility. We will use these funds to assess the availability of existing federal facilities and, if necessary, to design a new facility. We request that sufficient funds be provided to IHS to enable us to meet our facility and program needs in FY '89.

Our third issue of concern relates to the Indian Business Development program in the BIA. We notice that Mr. Swimmer has not bothered to seek any funding for this program in FY '89. He has also tied up the FY '88 funds so that our Tribal members cannot even receive grants which were approved back in October of 1987. We need this program. Many of our Tribal members rely on it as an important source of capital to enable them to get into business. We urge you to immediately direct Mr. Swimmer to release the money already appropriated for FY '88. We also urge you to restore the funds for this program in FY '89.

Our next major issue is in the area of Forestry. Our forests are a major resource on our reservation. Unfortunately, this resource is now suffering from years of poor BIA management practices and inadequate funding. BIA management has led to severe reforestation backlogs and the spread of natural problems such as root rot and dwarf mistletoe. The inadequate funding contributes to these problems. Our trustee spends more to manage comparable United States forest lands than our lands. For example, we receive about $2.3 million a year for our forest while the neighboring Colville National Forest receives $10.6 million for virtually the same amount of timber land. Proper management of our forests continues to be hindered by inadequate inventories not only of the timber resource but of all forest resources. Virtually all aspects of the BIA forestry program suffer from a lack of local perspective. Decisions on budgets, management and planning are too often made at the Area or Central office level without the benefit of local participation. One result of this is that the Colville reservation is currently short about 60 positions needed for proper forest management. Another result is that we are running about $800,000 to $1.2 million short of what we need for reforestation each year, despite the fact that the Tribes contribute 40% of the funds going into forest management. Here again, the United States is doing better by its own forests than it is doing as our trustee. The Colville National Forest will receive about $478,000 for tree improvement in FY '88 . We will receive nothing. We request that you increase BIA forestry funding for FY '89 and that you join with us in calling upon the authorizing committees to conduct oversight hearings on the BIA forestry program.

Our fifth issue relates to the management of our fish and wildlife resources. We are requesting that you direct the BIA to provide us with an additional $196,000 in FY '89 to enable us to effectively regulate and enforce our off-reservation treaty hunting and fishing rights. With these funds we would hire two enforcement officers, one wildlife biologist, one fisheries biologist, support staff and supplies and equipment. With these employees we would finally be able to begin to effectively exercise our treaty rights to fish and hunt at our usual and accustomed places in the lower Columbia River tributaries.

Our sixth issue relates to the need for facilities construction funds for the Paschal Sherman Indian School. This year Paschal Sherman is serving 115 students. We have been attempting to provide decent facilities for these students for over six years. Up until four years ago, Paschal Sherman was on the school construction priorities list. For reasons we have never understood, the school was removed from the list. Facilities needs are now addressed by the Office of Construction Management on an ad hoc basis. For example, the school board was recently informed that OCM had found $600,000 to construct a modular dormitory which will house 48 students. Unfortunately, the students will still be without needed kitchen and dining facilities. We are requesting that sufficient funds be provided in FY '89 so that we can plan and design suitable facilities for the Paschal Sherman Indian School.

Mr. Chairman, we thank you again for your continued support and concern for Indian people. We will assist you in any way you deem appropriate as you deliberate and act upon our requests.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, MY NAME IS DON WEISEN. I AM THE DIRECTOR OF EDUCATION FOR THE FOND DU LAC OJIBWA TRIBE IN MINNESOTA. I AM HERE TODAY REPRESENTING THE ASSOCIATION OF COMMUNITY TRIBAL SCHOOL INC., OF WHICH OUR TRIBAL HIGH SCHOOL IS AN ACTIVE MEMBER.

OUR EXECUTIVE DIRECTOR, ROGER BORDEAUX, IS CURRENTLY IN GRADUATE SCHOOL AND DID NOT WANT TO MISS ANY CLASSES.

MR. CHAIRMAN, THE ASSOCIATION THANKS YOU AND YOUR STAFF FOR THE CONTINUED SUPPORT OF LOCAL CONTROL OF INDIAN EDUCATION. THROUGH THE LEADERSHIP OF THIS COMMITTEE THERE WILL BE NEEDED CHANGES IN BIA EDUCATION STARTING IN FY 89. WE HOPE THAT YOU WILL CONTINUE OVERSIGHT OF THE IMPLEMENTATION OF THE REVISIONS THAT ARE NEAR COMPLETION IN CONGRESS. MANY OF THESE CHANGES AFFECT THE FY 89 BUDGET FOR THE BUREAU OF INDIAN AFFAIRS.

THE INDIAN SCHOOL EQUALIZATION PROGRAM CHANGES

THE FY 88 PER PUPIL DISTRIBUTION BY GRADES ARE :

KINDERGARTEN AND GRADES 4 TO 8	$ 2,370
GRADES 1 TO 3	$ 2,844
GRADES 9 TO 12	$ 3,081

THE BIA - OIEP IS AGAIN WITHHOLDING A PERCENTAGE OF FUNDS WHICH WERE TO BE DISTRIBUTED BASED ON A FORMULA, AS REQUIRED BY CONGRESS IN P.L. 95-561. THIS IS AT LEAST THE THIRD YEAR IN A ROW THAT THE BIA - OIEP IS DOING THIS. THE TOTAL WITHHELD THE THREE YEARS IS OVER $4,000,000. THE WITHHOLDING OF FUNDS HAS TAKEN AWAY APPROXIMATELY $100 PER PUPIL FROM THE SCHOOLS OVER THIS TIME PERIOD.

THE SCHOOLS ARE CURRENTLY FINISHING THEIR SIXTH (66%) MONTH OF THE SCHOOL YEAR AND INTO THE FIFTH (42%) MONTH OF THE CONTRACT.

THE FUND DISTRIBUTION DOCUMENT FOR ISEP IS BEING HELD UP IN WASHINGTON.

THE TRIBES AND ORGANIZATIONS DO NOT HAVE ANY FINAL FIGURES FOR CONTRACT SUPPORT AND OPERATION AND MAINTAINANCE.

THE ABOVE FUND DISTRIBUTION PROBLEMS HAVE EXISTED FOR AT LEAST FIVE YEARS.

WITH THE PASSAGE OF THE ELEMENTARY AND SECONDARY EDUCATION IMPROVEMENT ACT THE FOLLOWING CHANGES ARE NEEDED:

1. TRANSFER THE SCHOOL BOARD EXPENSE FUNDS INTO ISEF

2. MULTIPLY THE TOTAL ISEF BY .00133 IN ORDER TO HAVE FUNDS FOR A NATIONAL TRAINING INSTITUTE WITH THE REMAINDER OF THE SCHOOL BOARD TRAINING DOLLARS TRANSFERED BACK TO ISEF.

3. MULTIPLY 6,000 (7TH AND 8TH GRADERS) BY .20 (ADDED WSU) BY $2,370 (FY 88 PER WSU). **$ 2,844,000**

4. MULTIPLY 400 (3 AND 4 YEAR OLD (8% OF POSSIBLE TOTAL) HANDICAPPED STUDENTS) BY $2,370. **$ 948,000**

5. MULTIPLY 38,000 STUDENTS BY 2% (ESTIMATE OF GIFTED AND TALENTED STUDENTS) BY $2,370 BY 2.0 WSU. **$ 3,602,400**

6. NEEDED BY THE SMALL SCHOOL ADJUSTMENT REVISION (ESTIMATED).
25% OF CURRENT WSU'S 715 BY $2,370. **$ 424,000.**

7. THE BEST ESTIMATE FOR THE NEW ADMINISTRATIVE COST IMPLEMENTATION FOR THE NEXT THREE YEARS IS $800,000 PER YEAR. THE BUREAU HAS THE DOCUMENTS THAT COULD TELL THE EXACT FIGURE FOR FY 89.

WHAT EVER HAPPENED TO FACCOM?

THE FY 88 BIA BUDGET JUSTIFICATION REQUESTED AN 8% CUT IN FACILITIES MANAGEMENT, EXISTING OPERATIONS AND MAINTAINANCE.

THE PROPOSED PURPOSE FOR THE DECREASE WAS THAT BIA'S PLAN FOR PLANT SIZE REDUCTION SCHEDULE IDENTIFIED EXCESS/ UNDERUTILIZED FACILITIES AND CONSOLIDITATION OF FACILITIES.

IF CONSOLIDATIONS, CLOSURES, DEMOLITIONS, TRANSFERS, AND SALES OF FACILITIES WERE TO GO INTO EFFECT IN FY 88, THERE WOULD NOT BE A DECREASE IN FUNDS TO EXISTING FACILITIES BIA IS AUTHORIZED TO OPERATE.

THE REALITY IS THAT AREA OFFICES WERE TOLD THEY WOULD RECIEVE A 7% CUT FROM THEIR FY 87 ALLOCATED DOLLARS.

THE ABERDEEN AREA FOR EXAMPLE IS GOING FROM $16,058,000 TO $14,989,000. THE AREA IS GOING TO DISTRIBUTE THE FUNDS BASED ON WEIGHTED STUDENT UNITS, WHICH HAS NOTHING TO DO WITH OPERATION AND MAINTAINANCE EXPENSES OF A FACILITY.

THE PORTLAND AREA OFFICE HAS TOLD THEIR SCHOOLS THAT THEY ARE TO EXPECT A 25% DECREASE IN OPERATION AND MAINTAINANCE FUNDS.

FACCOM WAS INTENDED TO BE A BUDGET ESTIMATE MECHANISM FOR FACILITIES BASED ON THE TYPE, CONDITION, LOCATION, AND AGE OF A FACILITY. AFTER SPENDING $40,000,000 TO DESIGN THE FACCOM SYSTEM THE BIA IS NOT USING IT. THE SYSTEM CAN WORK AS LONG AS IT IS UNDERSTOOD THAT IT IS NOT A MANAGEMENT TOOL AND THAT IT MUST ALLOW FOR FLEXIBILITY.

THERE IS A NEED TO HAVE A SYSTEM OF DETERMINING REVENUE IN ADVANCE OF FISCAL YEARS WHERE THERE IS NO POSSIBILITY FOR MANIPULATION. WE ALL NEED TO USE THE SAME REVENUE ESTIMATE DEVICE SUCH AS FACCOM.

THE FOLLOWING REQUESTS ARE REPEAT PERFORMANCES FROM PREVIOUS TESTIMONY. THE JUSTIFICATIONS ARE WITH THE PREVIOUS TESTIMONY.

1. WE NEED FORWARD FUNDING FOR ALL EDUCATION AND EDUCATION RELATED FUNDS UNDER BIA.

2. WE NEED A 20 YEAR COMMITMENT OF $10,000,000 PER YEAR FOR NEW SCHOOL CONSTRUCTION.

3. WE NEED TO BE INVOLVED IN THE FORMULATION OF THE BIA - OIEP BUDGET.

4. WE NEED $35,000,000 FOR FACILITIES IMPROVEMENT AND REPAIR PROJECTS FOR THE 10 YEARS.

5. WE NEED TO BE INVOLVED IN THE FISCAL POLICY DEVELOPMENT OF THE FEDERAL GOVERNMENT AS IT RELATES TO INDIAN EDUCATION.

6. ALL FUNDS THAT DEAL WITH EDUCATION HAVE TO BE UNDER THE BUDGET OF THE DIRECTOR OF THE OFFICE OF INDIAN EDUCATION PROGRAMS.

7. THE BEGINNING TEACHER SALARY IN THE BIA FUNDED SCHOOLS RANGE FROM $13,000 TO $16,000. IN ORDER TO RECRUIT AND RETAIN QUALITY TEACHERS THE SALARY MUST BE COMPETITIVE WITH AT LEAST THE SCHOOLS IN WHICH THE BIA FUNDED SCHOOLS RESIDE.

8. THE INDIAN SCHOOL EQUALIZATION FORMULA MUST BE CORRELATED WITH THE ACADEMIC STANDARDS TO REFLECT ACTUAL ACADEMIC AND DORMITORY COMPLIANCE COSTS. THIS IS REQUIRED BY P.L. 95 - 561. (ESTIMATED NEED $25,000,000)

9. THOSE SCHOOLS THAT ARE REQUIRED BY AN ACCREDITATION AGENCY TO ADOPT STANDARDS THAT ARE ABOVE THE BIA ACADEMIC STANDARDS IN ORDER TO MAINTAIN THE HIGHER STANDARDS NEED ADDITIONAL REVENUE.

STATEMENT ON THE PRESIDENT'S FISCAL YEAR 1989 BUDGET REQUEST FOR THE INDIAN HEALTH SERVICE

February 25, 1988

Mr. Chairman, I am Jake Whitecrow, a member of the Quapaw and Seneca-Cayuga Tribes of Oklahoma, and Executive Director of the National Indian Health Board (NIHB). The National Indian Health Board is a private non-profit corporation based in Denver, Colorado, whose Board of Directors is comprised of elected tribal officials from each of the geographic service regions of the Indian Health Service (IHS). NIHB is committed to improving the health status of all American Indians and Alaska Natives, and we work closely with Area Health Boards, Inter-Tribal Councils, Tribal Health Departments, national Indian organizations, and other interested parties to carry out our mission. As part of our cooperative effort, this statement has been developed in collaboration with the National Congress of American Indians, the Association of American Indian Physicians, and other national and regional groups. On behalf of our respective organizations, I wish to express my appreciation to the Committee for the opportunity to present our views on the President's fiscal year 1989 budget recommendations for the Indian Health Service.

For the first time under this Administration, we have before us a budget request for the Indian Health Service that does not recommend massive reductions in clinical services and the outright elimination of vital preventive health programs such as the Community Health Representatives. In fact, the Administration proposes a modest 3.9 percent increase over the amount appropriated for Indian health services programs in FY 1988. Compared to its budget recommendations of past years, the Administration's request for FY 1989 is a significant improvement--hopefully, it represents a permanent departure from past budget policies that would have dismantled the Indian health program. We believe that this change in the Administration's budget approach is due in large part to the commitment of the Congress--and in particular this Committee--to maintain the delivery of health services to American Indians and Alaska Natives. We deeply appreciate your support in this regard.

Although the FY 1989 budget request is a considerable improvement over past years and a step in the right direction, there are several recommendations that we find objectionable and potentially damaging to the Indian health care system. For example, the Administration's budget, as in past years, fails to request funding for the construction of health facilities, despite the profound need for new and replacement hospitals and clinics, repair of existing buildings, and provision of safe drinking water and sanitation hookups. In the Health Services budget, the Administration's justification asserts that the funding increases provided over the FY 1988 levels are sufficient in most cases to continue current services. This is not true--the amounts proposed in several budget categories will require a reduction in health services to the Indian population.

The Administration would also have us believe that its "Indian self determination initiative" will encourage tribes to contract for health programs under P.L. 93-638. We disagree--the proposed changes appear to reflect a continuation of the so-called "10-75" plan put forth by the Administration last year, a plan that was strongly opposed by tribes and Indian organizations. Other significant recommendations in the Administration's budget, such as providing $2.5 million for the proposed relocation of IHS headquarters to Albuquerque, N.M., are offered without appropriate review and comment by tribal governments, and must therefore be seriously questioned.

Before addressing these and other issues related to the FY 1989 budget, we wish to touch on two immediate concerns: eligibility for health services, and the need for a supplemental appropriation in FY 1988. In response to numerous protests from tribes and individual Indian beneficiaries, the Congress directed that the IHS final eligibility rule (published September 16, 1987 in the Federal Register) be delayed six months. We support this action, and request that the delay be extended to enable IHS to conduct an area-by-area impact analysis of the eligibility rule. We believe that such an analysis would assist tribes and IHS in understanding the full effect of the rule, and would hopefully yield new alternatives for redefining eligibility criteria.

With regard to IHS funding for the current fiscal year, we are concerned that IHS will be forced to absorb personnel cost increases as well as other inflationary costs in FY 1988, thereby further reducing the availability of health care to Indian people. The projected shortfall for IHS this year is approximately $16 million, and we ask that the Committee seek a FY 1988 supplemental appropriation to cover these costs.

Turning to the FY 1989 budget for IHS, I wish to expand on our earlier observations and comment on four areas: (a) adequacy of resources, (b) Indian Self Determination, (c) administrative issues, and (d) facilities construction.

A. Adequacy of Resources

Over the past eight years, funding for IHS and tribal health programs has increased incrementally from approximately $600 million in 1980 to $943 million in 1988. Despite these increases, spending for Indian health services in the 1980's has failed to keep pace with medical inflation and the additional demands of a service population that is growing by more than two percent each year. As illustrated in a recent analysis of statistics from the Health Care Financing Administration, per capita medical expenditures for Indians (excluding Alaska Natives and adjusting for inflation) dropped from $1,068 in 1980 to $797 in 1987, a reduction of nearly 25 percent. For the U.S. general population similar expenditures increased slightly during the same time, from $1575 in 1980 to $1649 in 1987. As a result, the difference in per capita health expenditures between Indians and the U.S. general population has nearly doubled in the last eight years, from $507 in 1980 to $983 in 1987.

We recognize that the quality of health care cannot be measured solely in terms of per capita spending. A number of cost-effective initiatives undertaken by IHS and tribes--particularly in the area of health promotion and disease prevention--have helped lessen the impact of diminishing expenditures per individual Indian patient. Nevertheless, these figures clearly demonstrate the erosion of purchasing power in Indian health program dollars during the 1980's, and show that the gap between the Indian service population and the rest of the United States is widening. Unless this downward spiral is reversed, we cannot reasonably expect to make continued progress toward the national goal of raising the health status of Indian people to a level equal to that of the general population.

Unfortunately, this disturbing trend would continue under the Administration's proposed budget for FY 1989. The four percent increase proposed for clinical services is insufficient to cover inflationary costs for medical supplies and equipment, staff salary increases, and other related costs. Assuming even the conservative projections for medical inflation used by the Administration, the proposed budget for IHS and tribal health services in FY 1989 is at least $25 million less than the absolute minimum required to maintain existing service levels, which are already inadequate for meeting the health needs of Indian people.

We find the Administration's recommended funding levels unacceptable, and we urge this Committee to consider a budget that is more in line with the overall growth in the health budget for the rest of the nation. According to HCFA's own statistics, aggregate health care spending for the U.S. general population increased 99 percent between 1980 and 1987, compared to a 59 percent increase for the Indian service population. To begin making up the enormous difference that has accrued in the 1980's, we ask that the Committee consider our budget request of $1.36 billion for health services. Our projection is based upon IHS's own initial request, with modifications for inflation and specific program increases. We believe this budget to be a more comprehensive approach that would allow for a reasonable expansion of programs to meet the tremendous backlog of unmet need; provide for new initiatives in the area of health promotion and disease prevention; continue the alcohol and drug prevention effort initiated under P. L. 99-570; provide funding for an $11 million demonstration project to assist tribes in exploring alternative arrangements for health services financing and delivery; and fund the chronic shortfall for tribal indirect and health program costs, thereby addressing the most serious impediment to tribal contracting for health programs under P.L. 93-638. A line-item breakdown of our request is attached. Within this overall amount, we ask that the Committee give special consideration to the following items:

Medicare/Medicaid Collections: The Administration's budget projects a $4 million increase in Medicare/Medicaid reimbursements, which would be used to fund mandatory program increases for Hospitals and Clinics ($2.88 million) and Contract Care ($1.1 million). We view this as an offset of direct program dollars in violation of the statute which authorizes such collections. We ask that the Committee disallow this offset and require that any additional Medicare/Medicaid collections be used to maintain accreditation of IHS facilities.

Contract Care: The contract care program is a vital component of IHS and tribal health systems, providing for surgical and specialty medical care not available in Indian health facilities. The Administration proposes an increase of approximately 5 percent for this program, which is substantially less than the 8-10 percent medical inflation rate projected for FY 1989. At its current funding level, contract care services are limited to urgent and emergency cases, which has often forced Indian patients to postpone medical treatment. According to IHS estimates, the cost for meeting the level of deferred contract care services nationwide--which includes high risk pediatrics, surgery, dentistry, and mental health cases--amounts to more than $64 million. Our request of $266 million for the contract care program in FY 1989 would enable IHS and tribal health programs to begin effectively addressing this overwhelming need.

Community Health Representatives: We are pleased to see that, for the first time in eight years, the Administration is not seeking to eliminate or "phase over" funding for the Community Health Representatives program. However, as noted in the IHS budget justification, the proposed funding level will result in a $1.5 million program decrease and a corresponding reduction of 342,000 patient services (a 9.9 percent decrease). We request that the Committee provide $30 million for the CHR program in FY 1989, which includes a modest cost of living increase for these dedicated tribal health workers. We also ask that the Committee continue to monitor the development and implementation of the CHR reporting system to insure that it can be brought on-line as effectively as possible.

Health Manpower/Clinical Staffing: With the reduction of health manpower programs throughout the Department it has become increasingly important that the IHS physician recruitment and health scholarship programs be strengthened. For FY 1989 we note that the Administration is seeking cuts of $41 million in non-IHS health professions programs in the Department, which will place an additional burden on IHS to meet the demand for professional clinical staff at IHS and tribal facilities. We deeply appreciate this Committee's support of the physician loan repayment program which will assist IHS in addressing staffing deficiencies for the current fiscal year, and request that the Committee consider increasing the funding for this program to $4 million in FY 1989. With regard to the IHS health scholarship program, we note that the Administration's request of $7.6 million will result in the awarding of 8 fewer preparatory scholarships, 10 fewer health professions scholarships, and 10 fewer extern placements. We believe this scholarship program offers the best hope for a long-term solution to the problem of staffing IHS and tribal facilities, and find this proposed reduction unacceptable. We ask that the Committee consider increasing the amount in the health manpower account to $8.4 million in FY 1989 to provide for a modest expansion of this important program.

AIDS: The budget justification for the Department of Health and Human Services requests an increase of $337 million for the prevention, treatment, and research of acquired immune deficiency syndrome. We are concerned the Department's current plans for allocation of these new funds exclude IHS; the monies will instead be targeted to the other six agencies of the Public Health Service, according to the Department's budget justification. As the largest provider of direct health services within the Department, IHS should be entitled to a portion of these funds. Presently, there are 53 reported cases of Indians afflicted with this deadly disease. While the number of Indian AIDS cases is relatively small compared to that of the general population, the figure reflects an alarming 112 percent increase over the number of Indian AIDS cases reported just 16 months ago. We recommend that the Committee consider an initiative for a national Indian AIDS prevention, screening and treatment program that would target the needs of Indian communities, and that would also provide information and counseling for health providers and other staff at Indian health facilities. We also request that funding for this initiative--which could be undertaken for $2.5 million--be provided from the Department's requested increase for AIDS rather than utilizing the limited resources intended for other IHS and tribal priorities.

Urban Health: The Administration's request seeks a 10 percent reduction in funding for urban Indian health projects, which would require a program decrease of $1.5 million. The Administration explains that this reduction can be offset by increased collections of third-party reimbursements. Yet, as the testimony of urban project representatives has repeatedly shown, these additional revenues from third-party providers are not available. Other programs designed to provide care in urban areas, such as community health centers, university hospitals, and state and local services have endured serious funding problems in recent years, and are simply unable to provide substantial assistance to urban Indian programs. We oppose the Administration's recommendation, and request that the Committee consider the budget proposed by the American Indian Health Care Association for $14.5 million in FY 1989.

B. Indian Self Determination

While we strongly support efforts that would genuinely strengthen Indian Self Determination, we have serious doubts about recommendations contained in the Administration's budget that purportedly seek to improve tribal opportunities for contracting under P.L. 93-638. Part of our concern centers on the Administration's own track record with respect to tribal health programs, and we need only look to the IHS budget justification for FY 1989 to illustrate our point. In the discussion of the CHR program, the justification notes that there are presently 234 contracts or grants that enable tribal governments "to address their health care priorities in keeping with the intent of self-determination legislation." The justification adds that the "CHR program is of itself a prime example of Indian Self Determination, embodying all the precepts and managerial goals of this principle."

Yet, this is the very same CHR program that for years was targeted for elimination by this Administration, an effort that was bitterly opposed by tribes. And while the Administration appears to have changed its position in the FY 1989 request, the proposed budget would require a $1.5 million program decrease resulting in a 9.9 reduction in services.

It is precisely this kind of action by the Administration that has served to undermine tribes' willingness to contract under P.L. 93-638, and which causes us to question proposals put forth in this request for the purpose of improving Indian Self Determination. For example, bill language in the FY 1989 request states that from the total appropriation, "...$245,134,000 shall be made available exclusively for funding grants and contracts for Tribal Program activities." This language is unnecessary because authority for contracting for these amounts is already established under P.L. 93-638. In fact, this provision would prove excessively restrictive in the event a tribal program is retroceded, since the funds could apparently be used only for grants and contracts.

We also question the rationale for breaking down the IHS budget activities into "Direct" and "Tribal" components. This structure has the benefit of permitting closer scrutiny and "tracking" of tribal funds. However, we are concerned that this format is merely intended to assist in carrying out the Administration's "10-75" goal by gradually shifting resources between the IHS and Tribal ledgers. As noted in the IHS budget justification, the Administration has reiterated its support of the goal "to entrust 75 percent of IHS resources to tribally administered health organizations by the year 1998." Tribal representatives strongly criticized this proposal when it surfaced in last year's budget request because, among other reasons, they viewed it as an attempt to coerce tribes into contracting for IHS programs. In addition, one of the driving forces behind the "10-75" proposal seems to be the belief that the IHS budget can be reduced through Indian Self Determination contracting, and that tribes will somehow be able to provide health services with less funding than IHS. We therefore reiterate our concern over the Administration's proposals for Indian Self Determination, and ask the Committee to instead consider following two recommendations.

Improving P.L. 93-638 Contracting: The IHS budget justification identifies several impediments to P.L. 93-638 contracting, including the "lack of experience" of tribal governments, tribes' "unfamiliarity with the P.L. 93-638 program and process," and "tribal misconceptions" about the intent of P.L. 93-638. To these barriers we wish to add the following: the difficulty in obtaining accurate, complete fiscal information on IHS service unit operating costs; excessive and burdensome reporting requirements; the lack of adequate training and technical assistance; concern over unstable, unpredictable operating budgets; and the inability of tribal contractors to recover the full amount of their indirect costs. Presently, tribes are moving on two different fronts to address these and other problems. First, IHS-tribal working groups have been formed to identify solutions to specific problems, and their recommendations will be shared with other tribal representatives at an upcoming national IHS meeting. Secondly, the Congress is now considering landmark legislation to amend P.L. 93-638, based upon numerous recommendations from tribal representatives and P.L. 93-638 contract administrators. Enactment of this important measure--which we hope will happen soon--should help to resolve several of the aforementioned barriers to contracting. We ask that the Committee monitor these developments to insure that any action taken in the FY 1989 budget be consistent with the initiatives taken in these two areas.

Indirect Cost Line Item: We appreciate action taken by this Committee last year to establish an Indian Self Determination Fund and provide additional monies for the indirect cost shortfall for tribal contractors. However, we are disturbed that the Indian Self Determination Fund is not considered part of the recurring IHS base budget, and we ask that the Committee clarify that future appropriations for this activity be included in the base. Lack of funding for tribal indirect costs continues to be one of the most serious problems hindering tribal takeover of IHS programs. In light of this ongoing problem and the action taken last year, we ask that the Committee consider creating a new line item in the IHS budget for tribal indirect costs, and that this activity be increased an additional $39 million to meet the demand for these costs.

C. Administrative Issues

Included in the President's request are several proposals and revisions for IHS administrative responsibilities. With regard to the $2.5 million proposed for a possible relocation of IHS headquarters to Albuquerque, N.M., we are concerned that such a move would be disruptive to IHS operations following the recent elevation to agency status. We believe it is imperative that IHS maintain a presence in the Washington, D.C. area in order to coordinate its resources and functions with the central administrative offices of other federal and private health institutions.

Rather than allocating $2.5 million to a study of relocating IHS headquarters, we believe the agency and tribes would be better served by an overall "management review" of IHS. Such an analysis, as we envision it, would encompass the overall management structure of IHS, including personnel systems, communications, fiscal and accounting operations, and the function and interrelationship of IHS Headquarters, area offices, and services units. We believe that this management review could be completed for less than the $2.5 million requested by the Administration, and we request the Committee consider providing these funds as an increase to insure that the cost of the study would not detract from other IHS and tribal priorities.

Another important administrative matter is the IHS' process for determining resource requirements and allocating resources. Considerable time and energy has been devoted to development of a needs-based resource allocation formula in recent years. While serious policy questions remain, we support the process that has encouraged tribal involvement and consultation on this complex issue. We are concerned with statements in the IHS justification that suggest there could be a move away from this needs-based model to an approach that would utilize measures such as "physician per population ratios, outpatient visits per year, and time spent face to face with a physician." Such measures would be inappropriate for a prevention-oriented, community based health system such as the Indian Health Service. We appreciate this Committee's past efforts in monitoring the IHS resource allocation process, and request your continued oversight of these activities. Additionally, in response to IHS' contention that "the continuation of a policy calling for the reallocation of base dollars would be unwise," we request that the Committee consider the establishment of an Indian Health Care Improvement Fund as provided for in the Indian health care amendments of 1987 (H.R. 2290, S. 129). This fund would target additional resources to tribes and service units that are most in need, and would eliminate the disruption caused by reallocating mandatory increases and base funding.

A third administrative issue is our concern over proposed revisions in the FY 1989 bill language. We oppose changes in bill language that would make IHS appropriations available until expended. Although it would appear on the surface that this authority might improve IHS' management flexibility, we fail to understand why IHS would not be able to obligate funding for Health Services within the timeframe alloted in the existing language. We also oppose changes in the Administration's bill language that would eliminate authority for special retention pay for IHS physicians and remove IHS' exemption from personnel ceilings and hiring freezes.

D. Facilities Construction

As in past years, the Administration is requesting that the "Indian Health Facilities" account be merged with the "Health Services" budget. We ask that the Committee once again reject this recommendation and support separate authority for IHS construction activities.

Regrettably, the Administration's new approach to the IHS budget does not extend to the area of facilities construction. In recent years, the Congress has followed a rational, objective methodology for constructing new IHS health facilities. We understand that the IHS construction priority lists now in use do not include consideration for tribally-administered programs, and that IHS will be revising these lists to correct against this bias. Because this new analysis of Indian health facilities will not be available until next year, we ask that the Committee include funding for the top facilities on the current lists to ensure that work can begin on these projects next year.

Specifically, we request the Committee to consider the following projects:

Hospitals: A total of approximately $23 million is needed for hospitals in Anchorage, Alaska; Katzebue, Alaska; Winnebago, Nebraska, and the Indian Medical Center in Phoenix, Arizona.

Outpatient Clinics: A total of $12.9 million would be required to provide for construction and planning of the top ten outpatient facilities. These facilities include clinics at Fort Hall, Idaho; Taos, N.M.; Tohatchi, N.M.; Fort Yuma, Arizona; Fort Belknap, Montana; Wagner, S.D.; White Earth, Minnesota; Stillwater, Oklahoma; Pinon, Arizona; and Montezuma Creek, Utah.

Modernization and Repair: We request that $24.9 million be provided for the backlog of general repair and maintenance that is required at least 45 IHS facilities.

Sanitation: As stated in the IHS budget justification, the sanitation facilities program has played a crucial role in helping to alleviate environmentally related diseases in Indian communities. We ask that the Committee continue this important program with funding for safe water and sanitation hookups for new and existing homes.

This concludes our statement. Again, I wish to thank the Committee for its past support and the opportunity to present our views. I would be happy to respond to any questions about our statement.

INDIAN HEALTH SERVICE
FISCAL YEAR 1989 BUDGET

($ in thousands)

SUMMARY ANALYSIS

	FY 1988 Appropriation_1/	FY 1989 President's Request _2/	FY 1989 Required Increase Current Services_4/	FY 1989 Current Service Totals	FY 1989 NIHB Request_5/
Clinical Services:					
Hospitals & Health Clinics	$ 537,000	$ 556,423	$ 24,514	$ 561,514	$ 761,224
Dental Services	28,974	30,318	1,455	30,429	46,223
Mental Health	12,466	13,091	697	13,163	23,402
Alcoholism Program	29,335	30,959	1,800	31,135	42,321
Maintenance & Repair	11,359	11,756	704	12,063	14,235
Contract Health Care	198,481	208,335	12,272	210,753	266,027
Preventive Health:					
Sanitation	23,907	24,626	913	24,820	38,155
Public Health Nursing	14,113	14,467	425	14,538	24,297
Health Education	4,413	4,651	278	4,691	7,181
Community Health Reps	27,282	27,282	1,692	28,974	30,010
Immunization	395	417	24	419	459
Urban	9,624	8,662	597	10,221	14,500
Indian Health Manpower	7,646	7,646	458	8,104	8,411
Tribal Management	3,094	3,218	166	3,260	5,190
Indirect Costs, Tribal Contracts	--	--	--	--	39,000
Direct Operations	41,392	42,471	1,308	42,700	46,128
Indian Health Facilities	--	2,450 _3/	--	--	--
TOTAL HEALTH SERVICES	$ 949,481	$ 986,772	$ 47,303	$ 996,794	$ 1,366,763

_1/ Includes adjustments for transfers from HRSA as a result of IHS elevation

_2/ Proposes that funding be available until expended. NIHB opposes this recommendation. NIHB also opposes proposal to restructure budget into "IHS" and "Tribal" accounts.

_3/ Proposes merger of the Health Services and Health Facilities accounts. NIHB opposes this recommendation and requests that the budget be maintained separately. NIHB also requests that funding be provided for Health Facilities construction based upon the current IHS priority systems.

_4/ These increases include costs related to inflation and personnel. The $47,303,000 total is the minimum amount needed to maintain FY 1988 services.

_5/ Projections based on original request developed by IHS for FY 1989, with approximately 10 percent increase for each line item. The total reflects the amount NIHB believes is needed to expand existing programs, address the backlog of unmet needs, undertake new initiatives for health promotion and disease prevention, and provide for indirect costs.

HAC

HAROLD O. WILSON
Executive Director

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TESTIMONY OF
THE HOUSING ASSISTANCE COUNCIL
ON
THE FISCAL YEAR 1989 INDIAN HOUSING BUDGET

SUBMITTED TO
THE SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

February 25, 1988

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Mr. Chairman and distinguished members of the committee, the Housing Assistance Council is hereby submitting written testimony for inclusion in the record of your oversight hearing on the Administration's fiscal year 1989 Indian budget proposals.

Introduction

The Housing Assistance Council (HAC) is a national nonprofit organization concerned exclusively with housing problems of the rural poor. That population includes Native Americans. We are deeply concerned about the plight of low- and very low-income reservation families.

Native Americans continue to experience the highest rate of substandard housing in the United States. Census data gathered in 1980 shows a population of approximately 1.423 million American Indians and Alaska Natives. More than one-third live on reservations, trust land or in Alaska Native Villages. Nationally, the percentage of the population living in substandard housing is 6.4 percent. For Native Americans, that figure is 23.3 percent. On the Navajo Reservation, 79 percent live in substandard housing. On Pine Ridge, the rate is 59.5 percent.

According to statistics provided by the Bureau of Indian Affairs (BIA), during fiscal year 1987 some 92,970 American Indian and Alaska Native families living on reservations or trust land needed either new or substantially rehabilitated homes. In 1970, that number was 63,000. At the same time, the median age (20-25 years) and rate of family formation on reservations has increased markedly.

Since 1971, HAC has sought to provide housing assistance to Native American communities. During these years, we have watched as different administrations examined and reexamined the programs and agencies that attempt to provide adequate housing to Indian families. We have seen efforts to place all Indian housing activities under the jurisdiction of HUD, under the BIA, or, at times, nowhere at all. There have been years when several thousand new units have been funded and years when there were attempts to zero-fund the program.

Throughout these considerations, one thing has not changed: there are thousands of Indian families living in deplorable conditions on the land which we did not take from them. Visitors to some reservations often comment that comparable housing conditions exist only in Third World nations.

A variety of programs is now available to most Americans at several economic levels. But for American Indians and Alaska Natives, home mortgages are not available on reasonable terms, rental units cannot be found, and assistance to the lowest income families has been inadequate to deal with increasing need.

In 1937, and again in 1949, and every few years since, including in 1987, legislation has been passed reaffirming the principle "that decent and affordable shelter is a basic necessity", and that the general welfare of the nation requires us to remedy our housing problems. For Indian peoples, those remedies are too slow in coming.

It is time to begin the process of making those promises a reality. And it may be that the time is too late. Urban homelessness has taken hold in this country; we are more aware of it than ever before. It is now a "popular" subject and receives extensive treatment in the media. Yet the almost invisible rural homeless continue to be ignored. Both rural and urban, Indian and non-Indian, those people are the proof we have done too little - and done it too late. The crisis has already begun.

We must work hard to reverse the neglect and assist those who need our help. This budget, and others like it, do not provide the means to make those changes occur.

Overview

In FY 1989, the Administration again proposes a series of program reductions designed to reduce the level of housing services provided to Native Americans. New construction in the HUD budget is reduced 50 percent from the FY 1988 appropriation, the Bureau of Indian Affairs (BIA) Housing Improvement Program (HIP) proposal contains a cut of 25 percent from last year's level and the Indian Health Services Sanitation Facilities program has again been zero-funded.

Despite clear evidence of increasing need, the proposed budgetary expenditures are insufficient to maintain even present standards. FY 1989 funding levels offer no real solutions to escalating problems.

Program by Program Analysis

Department of Housing and Urban Development (HUD)

New Construction

The Administration's FY 1989 HUD budget contains $71,850,788 to fund 1,000 new Indian housing units. The number of units is identical to the FY'88 proposal and is a relative improvement over the zero dollars and program terminations proposed over the past several fiscal years. Funding will be allocated under the capital grants system, which lowers overall budget authority and provides the full cost of units, as opposed to incremental outlays and multiple-year budget authority. When comparing total budget authority with pre-FY'88 amounts this new funding system should be considered.

A Public and Indian Housing Loan Fund has been set up to implement the debt-forgiveness legislation which was passed as part of the new capital cost methodology begun in FY'87. The long-term implications of such a method are unclear; its effect on Annual Contributions Contracts (ACCs) is being reviewed by HUD and adjustments to ACCs may be required.

The FY'89 HUD Budget Summary, at footnote "a" on page I-6, states: "For 1989, public housing recaptures are also proposed for rescission." This includes Indian housing development funds. That policy is reiterated on page H-6.

For FY'88 only, authority is provided in the Continuing Resolution to reuse development and modernization funds recaptured from the Indian housing program. The HUD summary estimates that 100 Indian housing units will be recaptured in FY'88. Thereafter, without further authorization, recaptured funds could not be reused and would be returned to the U.S. Treasury.

Funding

i) FY 1987 Actual	$ 245,042,000/ 2,000 units*
ii) FY 1988 Appropriation	$ 147,600,000/ 2,000 units**
iii) FY 1989 Mark	$ 71,850,788/ 1,000 units
iv) % Change from FY 1988	- 50%

* 3,469 units completed

** An additional 3 units/$191,490 was carried over into FY'88 under the current HUD Operating Plan.

Modernization

Funds in this category are used for repair and rehabilitation of existing units. The Office of Indian Housing has received a 2 percent administrative set-aside of modernization monies in the past, and the same proportional distribution is anticipated for FY 1989.

Funding

i) FY 1987 Actual	$ 1,438,456,330
ii) FY 1988 Appropriation	$ 1,704,232,500*
iii) FY 1989 Mark	$ 1,000,000,000
iv) % Change from 1988	-41.3%

* An additional $23,615,240 was carried over into FY'88 under the current HUD Operating Plan.

Program Change

The Housing and Community Development Act of 1987 mandated new comprehensive grants procedures.

Operating Subsidies

Payments for Operation of Low Income Housing (operating subsidies) are provided to both public and Indian housing authorities pursuant to Section 9 of the 1937 Housing Act, as amended, to help them meet operating and maintenance expenses. Annual subsidy requirements are calculated on the basis of a formula -- the Performance Funding System (PFS) -- which takes into account what it would cost a hypothetical "well managed" Indian housing authority (IHA) to operate its units. No specific set-aside of funds for IHAs is provided in the FY 1989 budget documents.

Funding

i) FY 1987 Actual	$1,460,072,000
ii) FY 1988 Appropriation	$1,515,000,000
iii) FY 1989 Mark	$1,517,508,000
iv) % Change from 1988	+ 1%

Program Change

The Housing and Community Development Act of 1987 mandated certain revisions in the operation of the program. Under a proposed Administration initiative, those housing authorities receiving little or no operating subsidy can choose to forego any future subsidies and obtain the ability to waive the 30% rule for tenants.

Contract Amendments

The HUD Contract Amendments program provides funds to cover additional expenses incurred during the development process for PHA and IHA new unit construction. Some of the funds authorized have also been used for off-site water and sewer requirements. Program funds are allocated for both public and Indian housing development activities but no breakdown between PHA and IHA funds is provided.

Funding

i) FY 1987 Actual	$ 79,730,000
ii) FY 1988 Appropriation	$ 68,699,250*
iii) FY 1989 Mark	$ 36,737,000
iv) % Change from 1988	-47%

* An additional $3,597,934 was carried over into FY'88 under the current HUD Operating Plan.

Community Development Block Grants

Athough funds for the basic program have steadily diminished over the past several years, the Indian component, drawn from the Secretary's Discretionary Fund, has remained at $27 million each year, except for a Gramm-Rudman cut in FY'86.

Funding

i) FY 1987 Actual	$ 3,000,000,000
ii) FY 1988 Appropriation	$ 2,880,000,000
iii) FY 1989 Mark	$ 2,480,000,000*
iv) % Change from 1988	-14%

* An additional transfer of $145 million of FY'88 unobligated Section 312 funds is proposed.

Program Change

The Secretary's Discretionary Fund is limited to $50 million, with $27 million designated for the Indian CDBG program.

Bureau of Indian Affairs Housing Program

Following a 1961 Interior Department Task Force report on Indian affairs, the BIA established a housing division in 1965 using the Snyder Act (Act of Nov. 2, 1921; U.S.C. Section 13) as authority for a housing assistance program. Initial appropriations of $500,000 were voted by Congress for FY 1965, and funding levels have recently averaged about $20-30 million per year. This year, a proposal of $17.2 million would reduce the program to nearly 50 percent of its highest operating level.

The Housing Improvement Program (HIP) is the major activity of the division. HIP is available through the tribe to Indians living either on or near reservations. It is a grant program and it finances repairs to existing units. Some limited new construction has been accomplished using HIP funds.

HIP is continually underfunded, leaving a major gap between the growing needs of the very low-income population which the HIP program serves, and the HUD modernization program. For example, based on its own FY 1986 Indian Housing Inventory, the BIA stated that "The estimated FY 1988 program...will meet approximately four percent of the overall long-term renovation needs." (Emphasis added.)

Until recently, the program also competed with other overall tribal needs; only some area offices received funding allocations for housing based on the band analysis done by each tribe. Congress recently changed the funding mechanism within the Bureau by transferring the program from the Operation of Indian Programs account to the Construction account. New methods for awarding funds based on a national inventory are being tested and the revised system has the potential to distribute available funds on a more equitable basis. However, the need is increasing as the Administration continues to propose program reductions.

The FY 1987 Consolidated Indian Housing Inventory identified 92,970 Indian families in need of either new or substantially renovated housing. The gap between need and servicing still grows; in 1970, there were 63,000 Indian families without adequate shelter. By FY 1985, the number had grown to 90,240, and in two years it has escalated by 2,730 to an all-time high of 92,970.

The FY 1989 Administration proposal for the Department of the Interior reduces the BIA housing budget by $5.63 million from the FY 1988 level. Once again, language is included prohibiting any new construction with Housing Improvement Program funds. Each year the Administration proposes this restriction and so far, each year Congress has removed it.

Funding

i) FY 1987 Actual	$22,606,000
ii) FY 1988 Appropriation	$22,854,000*
iii) FY 1989 Mark	$17,223,000
iv) % Change from 1988	-25%

* HIP: $19,884,000; Housing Training: $123,000; Housing Development: $2,847,000.

Program Change

New construction prohibited in FY 1989.

Indian Health Service

Sanitation Facilities Construction

For the eighth straight year, the Indian Health Service (IHS) Sanitation Facilities Construction Program has been zero-funded. In addition, the Administration now proposes to transfer and consolidate the program into another budgetary category. As this document goes to press, IHS has not yet released its budget justification book. New IHS budget categories do not list Sanitation Facilities anywhere, and it appears that once again the Administration proposes to eliminate the program.

Funding

i) FY 1987 Actual	$ 22,784,000
ii) FY 1988 Appropriation	$ 30,000,000*
iii) FY 1989 Mark	-0-
iv) % Change from 1988	-100%

* $5,000,000 earmarked for water and sewer services to existing homes.

Program Change

Elimination of the program.

Farmers Home Administration, USDA

Tribal Land Acquisition Program

FmHA acts as the lender of last resort to tribes and funds this program to finance reacquisition of former Indian lands. The Administration has zero-funded this program for FY'89, as it has in the past.

Funding

i) FY 1987 Actual	$ 2,000,000
ii) FY 1988 Appropriation	$ 2,000,000
iii) FY 1989 Mark	-0-
iv) % Change from 1988	-100%

Program Change

Elimination of the program.

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